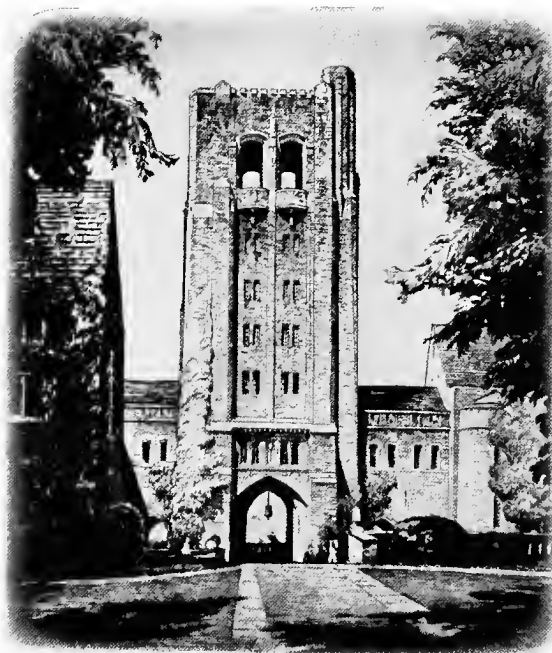


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Spink, William

# SCENES AND SKETCHES

IN

## LEGAL LIFE.

BY

*A MEMBER OF THE COLLEGE OF JUSTICE.*

WILLIAM P. NIMMO.  
LONDON, 14 KING WILLIAM STREET, STRAND,  
AND EDINBURGH.

1876.

LA 615'

*These Scenes and Sketches appear now for the first  
time in print.*

## PREFACE.

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**H**ITHERTO the published experiences of persons connected with the profession of the Law—which is generally admitted to afford good opportunities for acquiring knowledge of life and character—seem to have been confined to Tales of Detectives and Diaries of Clerks. I have no intention of competing with the stirring stories of these writers. Criminals have not interested the author: the careers of commonplace votaries of ambition have not occupied his thoughts. The genteel forger depicted drinking the health of his guests in Sillery when a sheriff's-officer relieves his hand of the glass and himself of liberty; the tale of a prodigal son, cured of a passion for the turf by the lawyer's

skill in exposing the knavery of blacklegs, might excite the attention of not a few persons. But even a lawyer who undertakes to interest the public had best relate what has most deeply and not unpleasantly interested himself. Certain out-of-the-way characters, not without folly, but “sublimated and heteroclite creatures,” as Yorick has it, with a humour of disconformity to the common creeds and ambitions of life, have amused the author not a little ; and of some of these he offers a reminiscence to his readers. Possibly, beneath the “humours” of their stories, may be gathered a few solid grains appreciable by the tastes of the most practical and be generally accepted in full of all demands for the needful substantial fare looked for in publications of the legal profession.



# CONTENTS.

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	PAGE
THE LAST SPUILZIE AT BATTLEKNOWE, . . .	1
THE LAST CLAIMANTS OF THE R—— PEERAGE, . . .	60
THE FOUNDERS OF ADULLAM, . . . . .	134
THE HEIR OF TAILZIE, . . . . .	166
LATE SENIORS OF THE PARLIAMENT HOUSE, . . .	219
THE TENANTS OF BEN EACHANN, . . . . .	253
ARBITRATION IN QUASH LANE, . . . . .	281
IRREGULAR MARRIAGE AT PETER BROCK'S, . . .	310



# SCENES AND SKETCHES

IN

## LEGAL LIFE.



### *THE LAST SPUILZIE AT BATTLE- KNOWE.*

CLUSTERS of shaggy pine-wood here and there relieved the monotony of brown heath called the Lohilmuir. A sluggish stream, too, where the curlew shrieked and the great heron flapped lazy wing, took its way through the long level tract to the "silver river." The grey hills rose in the distance, and were bright atop in the north-west sky. And the shepherd looked down upon the heath, and up to the clear stars of heaven, often with delight and worship. The peasant of the plain, as the

moon lighted up the dull bosom of the stream, retired to rest with the music of its murmur in his ear. Simple laughter, love-songs, and fiddles were nightly heard. In truth, the people of the Muir were gay. It was owing to the air, some said. Providence had given the inhabitants liberally, quality and quantity, of the "caller" air, and they were happy. Not unlikely, too, some of the liveliness was due to the presence among them of two or three irrepressible children of mirth and good-humour, and conspicuously of Mr Arthur Wellesley Craw, litigant.

If it was said in earlier and still recent days of the career of that sanguine litigant Arthur Wellesley Craw—eldest son of the late Daniel Craw of the Scots Greys, who for distinguished services at Waterloo had been made a lieutenant—that said namesake of the great captain would need a leg lopped off to subdue him to the respectable dulness of men of the world, the suggestion ought not to have been

needed on Christmas night 185-. Within the farmhouse of Battleknowe, tenanted by his only brother, Horatio Nelson Craw, the brother lay ill, about delirious, of a fever; a first child had been born recently to Horatio's wife; and the landlord, Gawin MacIlwraith, threatened to eject the whole family. He had already committed two spuilzies, carrying off without legal warrant, or in spite of interdict, nearly all the effects on the farm and in the house. To that house had come a few days ago the old widow of the lately deceased veteran, hero of the great fight. She had come, frail in her weeds, to greet the first of the new generation, and melt, in the sacredly happy day, over the fresh joy of her heart; and behold, the father, her son, was stricken unto death, his worldly gear gone, and he and his becoming outcasts on the earth!

At four in the afternoon the windows of the house were strongly barred and the doors

barricaded. A knock had just been heard at the front door. "It's honest Jim," said Wellesley, returning to the only inhabited room in a few minutes. He was pleased with all society, and would have seen a friend in a candid executioner. It was wonderful that, fighting in the courts of law all his business life with "scoundrels," and now pressed to the verge of doom, his lips could smack as they did of the delicacy of an honest name, or a fancied one, on the palate. So thought Horatio's wife, and particularly now, hearing of MacIlwraith's man having been at their door.

But increase of danger had brought increase of fancy : his hopes were already of the next generation. In answer to the mother's sigh, he seized to his arms the unconscious bundle of animation, known already as "young Dan'l," "wee Dan'l," "the one," "the soldier." "To think," cried he, "jist to think that this mite'll bestride in his years a charger like the great Jook's!"

It remained to be seen whether at this critical juncture his hopes of ten processes at law, or of the infant, would be whistled down the wind. At present it seemed as if the cause of the young soldier would drive away all other cares from hand and heart. The modest attentions of his unaccustomed hand towards the provision of the suckling had hitherto not been unduly pressed, and were easily and quietly ignored by the women. To-day he waxed bold. Perhaps that there was an imagined imputation that his last "kite" had not flown but lay lifeless upon his hands, and he must be accounted poor—perhaps that the child was now older in weeks—he had been busy for half an hour in the almost empty kitchen with a "rich" Christmas dinner "happily suited to all ages." Coming in with an immense basin of reeking "skink brose," or some counterfeit of that strong and bulky compound dish for heroes, he informed the mother that it was "Grandy's

favourite," and that young Dan'l would maybe "take after him there too." The experiment of ascertaining whether the young hero would make internal fortification after the manner, congenial to the soil and blood, now proposed to him, was not repeated. It was the only moment that Wellesley was heard to repine over his misfortune. The untoward accident of that day; the refusal of banks to discount his bill for £10 with three indorsers, was not orgotten in the confusion caused by the child crying over spilt hot water and oatmeal. He remarked that "times are hard when you can't start a bill for a tenner with three tracers."

Wellesley went out to the stars. He trod historic ground. Beneath the hillock on which the steading was built tradition assigned the sepulchre of thousands of slaughtered Danish invaders. The reflection often firmed his foot there. It was forgotten at this moment. He stood idly, looking now upon the empty barn and the tenantless byres and stables, and then



towards Pennyburn, the residence of MacIlwraith, above which Jupiter glowed in speckless lustre. Unaccustomed to discomposure of mind from conviction of his own ignorance, he now felt low that he was discovered an ignoramus in the treatment, even in its first weeks, of the tyro in the world; he was subdued a trifle that his incapacity at a lying-in was confessed. The child's inability to appreciate the approach of a spoonful of the mess except by skirling, led Wellesley again into a train of resolving on compromise with MacIlwraith. "I sha'n't destroy him," muttered the namesake of the great captain, as he returned to the house door: "this mite, dang it, softens me to a jelly." But he kept up. He was fain to think he might put up with two hundred solid pounds "down" while his antagonist should be discharged of fifty insubstantial pleas.

The stars were shining in their cold impartial splendour, and the breeze soughed drearily, but at intervals, through the leaf-

less elms. On this Christmas night, the party at Battleknowe, it had been resolved a week ago, would be at their chapel to worship even side by side with MacIlwraith. Debarred joining in the ascending praise of the sweet music of human voices ; within hearing of the half-delirious murmurs of Horatio, the cry of the child, and the deep sighs of the grandam, as there played in his ears the melancholy wind of heaven—Wellesley knelt.

With the familiar high-crowned hat in hand, with breast of spotless threadbare linen exposed to the winter night, in the thin blue coat, in the yellow and black striped waistcoat and coarse shepherd-tartan trousers, the stricken litigant, sore at heart, sought his knees upon the gravel. Was he parting with every cherished hope of these legal wars, offensive and defensive ? Was the grand struggle over, perished like a dream ? “The Lord was his Shepherd, and he would not want. On pastures green He led him by the quiet

waters." Goodness and mercy had not followed him through life, as goodness and mercy are generally known of men. His cup did not overflow, nor was his head anointed with oil. He needed no such witnesses for the justification of his faith.

As he rose he heard his name called. The mother of the child had caught the story of the sad fate of the paper which "stuck in the mud" even with "three tracers." What faith had his long-defeated belief of victory inspired that the mother should press into his hands a few notes just raised by her, with the aid of a ploughboy, upon her silver candlesticks, the gift of her father! Starving; justice, with which he had intoxicated them, was sweeter than food or raiment. With a buzz of approving wonder and joy on the part of the grandam, the notes were transferred, that the namesake of Wellington should use his skill instantly and proclaim a victory even then.

In the mother's simple glow Wellesley was recompensed for the wound her assertion of her maternal skill over his awkwardness had caused his feminine heart. He restored the money to the bosom of the grandam. The right arm of the child hanging out of the swaddling-clothes took his attention. "Shades of my fathers!" cried he, "it's the sword arm; he's the hero, mothers; see to him; he's a-daring the foe—young Dan'l."

Then there was a cry loud enough to drown the soft voice of Wellesley, and the mother's smile was disturbed. 'Twas but the shadow of a shade. But the man saw it. He lifted the young hero to the height of the low ceiling. "It's the slogan; the war-cry of the Crows!" In the movement the querulous flesh was soothed into quiet. He lifted it over the other bed in the wall. "The Colonel! Horashy (Horatio), Rashy, Rash" — The last syllable of the fond familiar name of the namesake of the great sailor died

away on his lips. "Eetem" (item), muttered the prostrate farmer, his mind wandering on recent inventory of his appropriated implements—"eetem, three drill-grubs." Having given the child to its mother, with the aid of the rushlight Arthur saw that the fever was gaining upon the solid flesh and slow brain of the hard-pressed man, his brother—the victim of the chicaner MacIlwraith.

A strange dark passionate appeal for a moment possessed Wellesley. Now it was gone; and there followed a pleased smile, born of his silent committal of the party to the care of Heaven, and of the pleasure and self-confidence which all his errands gave him. The jaunty step of the thin bent figure was watched with joy by the two women as he issued forth to the world—of the Lohilmuir.

He walks with pride and a sense of strength, notwithstanding his pinched cheeks streaked in slight lines with red, his thin

staggery limbs, and his stooping back. A pinch of snuff, a shake of the hand, a hearty "good-day," could conciliate the fighting man. His antagonists never offered them. Born within sight of gentility—his father an officer, his mother a cousin four times removed of this same MacIlwraith—he had been cast out of the pale with the first breath of misfortune. Henceforth his name was associated with escheats, hornings, poindings, ejections, molestations, intrusions, and damages. Stronger dealers with him in affairs of the world did not trouble themselves to reciprocate his naturally conciliatory and gentle manners. And it was the protest against their inhumanity, the rage of a soft heart disappointed of meeting goodness and justice, that set him to disturb the dreams of litigants and lawyers with terrible invectives—on paper. He soon came to love the sight of the thick folds of foolscap which carried to the judges the long-winded state-

ments of his indignation: he relished the macer's cries of "*Craw versus MacIlwraith in re interdict*," of "*MacIlwraith versus Craw in re removing*." His words were written with his blood.

Yet he could "roar you like any sucking dove" even after an adverse verdict, there being truly no adverse verdicts for him who saw them as temporary mischances, speedily to be forgotten in a glorious victory with permanent consequences.

He interested the inhabitants of the Muir, in whose "cause," they had a fancy, he suffered, while they smiled. "Labour stood still," too, as this humorist "passed;" "the bucket was suspended, the spring-wheel forgot its round, even chuck-farthing and shuffle-cap stood gaping" to accost or find entertainment with the kindly jest or encouraging word of him who combated in the temples of the goddess Astræa.

He had engaged in many pursuits; at first

to find some extra means for a little sport—to shoot, fish, hunt, and drink a little: and then, and soon, only to live; to acquire the modest provision for “kail” and porridge, beyond outlays for his great causes begun in the greater days of trading. The flesh might seem low, but the spirit was high, though wine in his stores had to succeed coals, and wood slates. The great trooper had transmitted to his eldest born a lofty spirit which might pine but never die in the degenerate and huckstering depôts. Great names, to him, drew attention from their meagre furnishing, and soothed the pride of their little-funded owner. The Great Britain Coal Depôt, the Albion Wine, Spirit, and Ale Company, the American and Native Woodyard, and the General Slate Association — on paper — made amends for stony “jewel,” grain whisky, unconscionable gallons of small-beer, knotty fir-trees from the far-off corners of the Muir branded in death far beyond their reputa-



tion when shivering in the winds), and slates, of which the Laird of Tamloorie said, "Craw had a slate off"—only one, and alas! it was allowed not to be from the quarry, but off a tenderer work of creation. As to the usquebaugh which the trader was in the habit of burying in the ground, according to a recipe of his own for fostering a mellow age which his poor purse would not permit of bringing about by the common speed of the calendar, Tamloorie said, "It was no Glenlivet, though it might be deuced good Glencraw." As a wood merchant he appeared last, and he liked the way best. He was great in American literature; the prairie and the primeval forest excited his imagination, and, "in the vein," he corresponded with the great timber house of Quebec, Judd & Co., for whom he was appointed sole agent in North Britain. Sales were made, and a great log arrived at the "American and Native," over which Wellesley told stories

and held pathetic and merry discourse many a time about the Mohicans and Hawkeye; boys fought over it at French and English, and with the aid of plankings ran up huts in the manner of pioneers in the country of hapless Unca. But the sale prices got somehow mixed up with prior obligations of the many-handed trader; the log began to blossom alone, and new suits at law following—while the shaggy clusters of the fir-trees of the nether muir had already paid the penalty of disease or nature—the woodyard fell into disuse. At this time there opened up to the trader, who for some time had slept with Erskine's "Institutes" at his hand and the "Principles" of George Joseph on the shelf above his head, the cause of assisting his honest, simple-minded, and much-wronged brother Horatio.

Fancy, Vanity—what you will—ran her golden thread still through the dull web woven around the life of Wellesley. And

though the unseen, the invisible spirit of faith, may not clothe a man out-at-elbows, or protect his midriff quite with a power of sustaining laughter, he may with airy visions, undisturbed by appetites which will drag down altogether better than the vulgar, readily make shift to live and be even happy. Craw sang "the devil's in the man!" the first night he was with his brother, over the duplicate lease of Battleknowe, in which there was an erasure not noticed in the testing clause, and in an important part of the deed—a deadly and fatal flaw often. That he might "weed out" MacIlwraith, and be even planted in his stead, seemed not impossible accomplishments in his greater moments.

He was in spirits beside Horatio, a man of little "ooterance," who worked laboriously and silently; who understood he had received a lease with pure and simple obligations of the landlord to build and drain, while they proved to be coupled with conditions which made

their value not worth the paper on which they were written. Horatio hung his honest head as he saw his little wealth and the labour of his hands gone—gone as he had clasped to his arms the handsome Isobel Armour, “the flower of the Lohilmuir.”

But Arthur Wellesley saw clearly how he might outwit the chicaner. Yes, if the chicaner fought with clean fine-steel weapons at the law. If he stabbed in the back; if he disregarded this law, and, falling back upon his long head and yet longer purse, dared it where his deeds could only give rise to new litigations, in which he would wear out his adversary! It happened so. Wellesley appeared upon the scene as tenant, and also owner of the plenishing, and was winning his way through the labyrinths of the law, when lo! Gawin struck through the tortuous passages and put his hands direct upon the whole stock and plenishing. Moreover, in the confusion of his antagonists (stunned

by the daring act), he had further pushed on a process of ejection; and now the Craws were on this Christmas-day themselves liable to be driven out upon the muir. The last remnants of their furniture would at same time be seized by main force.

Honest Horatio the farmer had paid no rent for two years past. Such of the straw crop as could be reaped was lost in the ruinous steading; cattle strayed in the unfenced marsh, and were drowned, or died of too much air in the sheds and yards.

Wellesley's hand hesitated on the door-knocker of his crony the schoolmaster of Pennyburn, as he passed through the village on his way to the mansion of the Laird. But the dominie was no mere conventional expounder of geography and grammar, and possessed a fine sarcastic wit and humour, which he could exhibit with the additional attraction of a good glass of Glenlivet—no paltry cheerer on a winter night after a few

miles' walk. And Wellesley knocked and went in. Tobias Gibb relieved the pedagogic solemnity of the day with afternoon's diversion at the shrine of Momus. Laird Gawin MacIlwraith was the butt of his raillery and mimic sallies. Wellesley, ever soft, gentle, and low in speech, enjoyed the vigour of the master's humour, and grinned with great relish as his opponent was taken off, feeling recompensed for much of the "iniquity" by which he suffered in the caricature of the iniquitous one. Playing with fire surely now, to gather ridicule for the man whose humanity he might wish to rouse!

It appeared that the Laird, besides disputing the salary of Gibb, had condemned his English pronunciation as modern gammon; and one way the master had of resenting the heritor's interference with his teaching was to increase the supposed affectation of "fineness" of speech to an exaggeration. He sympathised to the full with Wellesley

always. "Who shell step eyside," cried the master, "like the mealankoly Dean, weary of the world, end find thrown upon the dockengrown footpath, beeside the beerial-place of the MacIlwraiths, the once tousy-headed skull of Gawin, crees, 'A Scotteesh Machiavellees or the deevil's.'" After a reeking glass or two, with the hearty pedagogue's prayer for honest Rashy, and a warm pressure of the hand for the success of his mission, the suitor for justice went forth; the mirth ringing in his ears not ceasing as he stepped into the dull gloomy hall of Gawin and "spoke fair" to Elshenter, the grim servitor of a repellent lord.

The litigant stood with an easy air in the hall of his oppressor. To him the impressiveness of great possession and power was gone even in the idea of them as held in trust for the neighbours and him, as well as the owner. He did not vex the graciousness allied to his theory with practical demands for "unearned increments," and was content gaily to suffer the

man in possession to gather the whole fruits ; while he himself might not fail to recognise the magnanimity of his own concession. Elshenter would have kept Wellesley out from his employer's presence, the chicaner being engaged with his lawyer. But such was at the moment the power of "the people" that Wellesley's popularity in the Lohilmuir gained him admittance with a little murmur. In the other century, or thereby, the democrat reflected, there would have been a moat or dungeon for the resting-place of a troublesome tenant who refused to go out of his holding until he was recompensed for injuries.

The arch-enemy and his minister, seated at a ponderous volume of Morrison's "Dictionary of Decisions" in a cold library, did not seek soon to notice the intrusion of their light-footed opponent.

They had about them none of "the noble scorn of great fiends." Wellesley had troubled and vexed them sorely, until they took the



law in their own hands and were victors in the game, as became the greater might; yet when catching sight of the pale attenuated intruder, they did not cry, "Aroint thee, whipper-snapper! go to thy sputterings of the inkstand!" for these sputterings had been very costly to the client. Each wished to hear this child of humour speak, that, apart from the revising pen of his lawyer, he might commit himself, and perhaps save them from decree for pursuer in an action of damages for spuilzie.

Craw's poor frame, striding and bearing up under the cruel stroke of the assassin; his mildly beaming eye, conscious somehow, in his present not clear course, of some lofty kindness even for the general weal; brought no smile of sympathy or pity from the strong man. The lawyer was tamed with age, and long concern with heavy matters not his own. You and I, Bardus, who have not experienced the unkind fate of being depressed by the grave concerns of great gear, would have

melted at the sight. The faint screech of a hiding owl, disturbed by the buzz of a crippled bat soon to be destroyed, was the sound emitted by the client at the approach of the worn inheritor of heroism. Meantime Wellesley walked up the long narrow room with a bland air. It was the easy grace of a diplomatist who steps forward to make peace for others with good nature and few words ; courtesy, and no mere affected coolness or equality, seeking to give the tone to the situation. He bowed, a table being between him and the pair ; but there was no response.

“Stair or Erskine ?” inquired Wellesley of the readers, gently rubbing his chin with his hand, and a spark lighting up very brightly his somewhat colded eyes. There was no notice.

A little watery regret, as he stood, stole up behind the orbs of the victim of the proud man’s contumely. “Meckeenzie ?” he cried—some roguery at remembrance of the jovial teacher of the three R’s he had just left for

this cold affectation of the superciliousness of greatness—dislodging the fluid from the surface of his grey eyes, to which it had sprung. “Ees of opeenon weeth ye,” continued the diplomatist; “he’s weeth ye about subseets.” Roguish, yet not gone from good-humour.

With a lofty wave of his hand, which in its course nearly disturbed the tousy splendours of red-headed MacIlwraith, Wellesley playfully gave over the “blood-thirsty” lawyer to the enemy, and made them welcome to him in accents supposed to be those observed in the Southern Kingdom. They were certainly not intended to be offensive.

“Wha-a-as hee thuzz?” asked the client of his lawyer; his ears now tingling as Pennyburn English got into them. He inquired concerning the identity of one he knew as well as the lawyer’s own. Wellesley’s eyes darkened and his brow lowered a little now.

“The Roman law ees against heem; our

modern lawyers, who er found following the ceevil law where they cen"—the rest was lost in the sound caused by the closing of ponderous Morrison.

The English of the village dominie madened the ears of the hater of gammon—in dialect—and he sat back in a rage, finding a little vent for it in dislodging the reclining arm of his solicitor with his elbow, and nearly causing that gentleman to tumble and resolve upon resignation of the valuable agency.

"Shades of my fathers!" said the litigious man in after-times when the wars were over, "I gave Gawin a dose for his pretended forgetfulness." He would point with pride to his name in Shaw and Dunlop, and remark that he puzzled the Lord President confoundedly.

"Da-a-am the deevil! whaa are ye, maun? Are ye Craw?" cried MacIlwraith, forced out of his propriety of non-recognition of a broken opponent.

Arthur Wellesley Craw stamped his foot, and stood with his head reclining backwards instead of forward.

He had often threatened on foolscap to make the house of Pennyburn tremble to its foundation. Without the physical force with which Macgregor called attention to his promenade on the heath, the indignant move of Craw yet told to the completer awakening of the others.

“Sir,” cried he, “you know me well. I am Craw; a fighting man, but a fair one; relegated for a time to the obscurity of the Lohilmuir, because injustice, sir, stalks abroad like a devouring wolf in the simple folds”——

“Yer brither’s a sheep! ye’re the ither sheep! ha! ha!” growled Mac.

A glowing and proud countenance was Wellesley’s. “We are sons, sir, you would forget, of Daniel Craw. He was the bravest and the best of soldiers, sir; and died by

his wounds, for his country; poorly and shabbily rewarded by it, when the soil he protected is rented to his sons to rob them of their little inheritance. By God! I would die before I would rob the defenders of my country; even to save my life, I wouldn't take sixpence off a poor soldier's progeny without value. But only to make a miserable gain of them, I'd"—

The bell was tugged at violently; the champion of patriotism might have been more unceremoniously treated, but that his stick was in active use during his denunciation.

Having delivered himself of the front of his wrath, Wellesley calmed greatly. He now again remembered that he came with the olive branch and the hand of reconciliation, and he said he had come for peace for his brother's and the child's sake.

"You've been in the militia yourself, though, Laird, and might have strained a point to

favour the boys of the great Waterloo soldier," rallying—as he must—with a subdued voice.

He consented to shut his eyes to the presence of the devil and Beelzebub.

"I waive all the past wrongs this night in consideration you draw in my favour on your banker for three hundred. The sum's a trifle, and won't buy oil for a tenth of the sores even of the body of one of us."

MacIlwraith smarted as he confounded the simple humour of his opponent. The word militia used in his presence was fatal to his goodwill. Once on a time before his resignation of a captaincy he led his men against the foe in the shape of whin bushes upon a hillock-top, and landed them, bruised and half drowned, in the marsh beneath on the other side.

"Awa', awa', man! ye're a fule!" cried the late officer of the "Droukit Fencibles."

"Say the word, Captain, and I'll forego that hearing next week before the seven judges," pleaded the farmer.

Brougham's was a name with which he often tried to conjure opponents, and successfully. Harry and the House of Lords were often cast at the heads of his co-wrangers. "I'll have ye up before Harry Broom," failed of effect now—the last shot was fired. MacIlwraith swore—not by Apollo—at the lazy louts his servants, as he hung on the bell-rope, which now fell down.

"There, mun," he cried, swinging it at his opponent. "Tak' ut; ut wazz a'; a but rope was a' ye brocht ta Battleknowe, an' a but wud, man. There's a but wud there tae."

"And I wish wood and rope were at your ain door, Laird MacIlwraith, jist at this moment. Ye might rue the indignity wi' a little hanging, Laird. Braxy used to say some folk would be neen the waur o' a hanging."

The last sentences were delivered with a smile of quiet playful humour. They were words the use of which would naturally draw down a pretty severe blow. But Wellesley



had a way with him of tempering the asperity of language with a gentle air, which to a magnanimous opponent compassionate of misfortune and simplicity might perchance take out all sting.

The manner brought no forgiveness from MacIlwraith, as may be supposed. Elshenter and his fellow, Glowry, were ordered to lay hold of Craw and expel him.

“Ejec’ hum !” cried MacIlwraith ; “ye’ll be ejec’t again tae oot o’ the farm—every dog and cat o’ ye.”

Exasperated beyond endurance for years by this litigation, in consequence of his first original sin, of taking advantage of the simple inexperienced Horatio, he was driven into harshness and cruelty. The flaw of his character was originally only cupidity—perhaps only penuriousness—and the little black spot enlarged into a gangrene.

Craw saw before his eyes his stricken fevered brother, the lying wife, and the child—wee

Dan'l—shivering on the heath! His face got livid; he struggled for breath: the left inherited fires of the brave trooper coursed in his ill-filled veins, and nearly shattered the frame. There was a cry as of a sick man roused to struggle against the last stroke of doom.

About to spring at the throat of the tyrant, his hands fell. "Rashy, young Dan'l!" he cried, thinking only now in his prostration of his sick brother and the poor child; it was in a faint voice, and he fell a light and battered bundle on the floor.

They took up the threadbare coat, the black and yellow striped waistcoat, the shepherd-tartan, and the well-brushed satin hat. These were substantial. Without "the fiery soul," what they covered made small show. "I'll appeal," muttered the spirit. Then it was sent forth, to walk in the valley—of the shadow of death.

Dominie Gibb was soothing his beating mind with the aid of some pipefuls of honey-

dew near to his own door, on the watch for the return of his friend. He chid himself for having rather excited the litigious spirit of Craw in times past. "Down with the deevil ;" "Do for Gawin ;" "Let slip the dogs of war ;" were cries which had not seldom issued from his mouth.

"Have you seen the deevil ? Well ?" he asked now of the returned compromiser, with bated breath.

"Give God the glory, Gibb. Heaven is my rock and my shield, and my sword ! I have vanquished !" said the pale chief of the Craws, his spider limbs scarce bearing him up as he looked wistfully for sympathy into the face of his social brother.

"An' you have the three hunder in your pocket ? eh man, but this is good," asked the schoolmaster as he wrung the hand of his friend and stirred the heart of him to more kindly warmth.

"Oot," said Craw, "ye wouldna have Gawin part wi' his life's blood to me."

Then the humourist began to smoothe down the horrors of practical defeat. He trudged back; the master promising to follow him in a quarter of an hour, when he had put his old father to bed.

With the news of the reverses of fortune to the Battleknowers, arose in the minds of many persons, opinions that the Craws must be in the wrong. Such minds have existed before and after the days of Job, and are more numerous than those which have a genius for taking up lost causes. Among the latter order of minds was that of Joe Swinton, a young master-drainer, who had been dejected for some days with a cursed bashfulness which prevented his calling at the farm to see the people whose cause he espoused *per fas et ne fas*.

The brave suffering woman, lying not without hope at Battleknowe this Christmas night, could not hear in the west wind's wail the sigh over a once modest passion, quite

unknown to her, and the song of a generous zeal for her salvation. But they went with that wind from the drainer's cottage on the hillside, as he looked forth to the Knowe beside the golden sheen of his newly-thatched roof. Oh, why could not he have plucked on the slopes of the hills the wild thyme, the daisies and soft purples, which the liberal shepherds gathered for the laps of the Phyllises of the muir? Yea, the prolific pansies, the yellow "belle of Bath" and "blue perfection" of his own loved garden, which drew the soft tears from his eyes each recurring June as they reminded him of the old gardener at Balquhiddar, his father, now lying beside cateran heroes in the brave kirkyard, why should these have regularly shed their leaves without the gaze of tenderer eyes than his? From these emotions, it may be guessed why Joe had not already gone to Battleknowe. Oh, the terrors for him of encountering that young mother! that babe, the innocent Dan'l!

Joe had recently been taken up with his own martyrdom for opposing *brevi manu* the poinding of a widow of some eighty winters. He had had no fears of the results of interfering there, where gratitude took the shape of many harmless old tears, and a pair of stockings which might even be tried on in presence of the maker to ascertain if they were a perfect fit. But tears of requital on the part of young fair women required, he thought, that they should by him be wiped away; and how should he be able to bear such a scene of relaxed championship? The giant would go down and beat off the marauders, but in listening to the sighs of the unprotected beauty, in handling, in the shape of soothing the lately born babe, recompense for his chivalry, he would be facing an ordeal more painful far than the residence threatened in the widow's case of durance vile. Joe quickly dressed himself in his Sunday attire, including that flaming crimson and green scarf, of which he

had hoped greater things than of his rosy manly face, long curly yellow hair, and stout limbs. Then he stumbled into Fergus White's, companion of his labours and of his gayer hours. Fergus was only to be asked to "Tibbie's," a public-house close by the Battleknowe. That invitation, to be quickly responded to, revealed nothing.

Ferg's pretty sister Jean was at the moment to bend to the reisingy fire her lily cheek; speechless, but with expression of pleased, kindly surprise, which modest maidenhood so well wears at man's impetuous interruption of her duties, she met Joe.

It was clear to Fergus, who saw a stout cudgel behind Joe's back, that an enterprise was in hand, and he judged rightly upon whose account it was undertaken. "Yer the protector o' the weemen, Joe," said he.

"I'm kind o' wearied up yonder, Ferg," he blurted out. A Jacobite under pretence of a party of pleasure gathered one of war. A

sudden sense of solitude on a Christmas night was a pretty excuse for the speedy summons of a jovial few to Tibbie's. But he stopped short. Then he averted his face from Jean. Then his heart beat; and he took a sly glance at the maid, and saw that her face was glowing crimson—all at once—not yet over the bright wood-fire which she quickly stirred. She had failed to conceal a pride in Joe.

“Dang’d,” cried Joe internally, as he made out for the stars, enjoining Fergus to despatch, “she’s jist perfection!” In his philanthropic and military ardour, Joe had unwittingly caught a mistress for his wandering heart. He was no longer hampered with idle fears. He slapped his leg; beads of perspiration broke over his brow, and his own cheek was suffused with crimson beams. The brave deserved the fair, and won her! And he walked briskly, and not less gently, on to baulk the spuilzie, gathering more companions in arms.



It was balm to the hurt mind of the namesake of the great captain to be waylaid for a few minutes at Tibbie's. Fergus was warbling some native and plaintive wood-note, wild enough, as Wellesley and the schoolmaster were brought in ; scouts having been sent out on the turnpike to give notice of the approach of the enemy from Pennyburn or Barrelwell, the head town of the shire, from which the myrmidons of the law would issue forth. Cries of "Battleknowe for ever," "Here's a health to thee, Craw," "Well done, old fellow," made dim pain yield to visible delight in the grey eyes of the litigant. The strong voice of the emotional drainer, with a can of punch in his hand, toasting him as "a right good friend," made him shake mostly with suspense of some coming glory. He was easily pleased ; real kindness charmed away his senses when he was told they would all "stand by him to the death." That night, he informed the party, firstly, that it was

the proudest moment of his life, and secondly, that they should meet him *quam primum* for further refection, deliberation, and defence at the *Mons Capitolinus*, by which place he was understood to mean the barn of the steading, which stood on particularly elevated ground. In it, on a happier day, he had given a great feast (after a Roman fashion the best Latin scholar thereabout might think). This night it could scarcely provide a can of milk or a peck of meal; but what of that? "There's nothing good or bad but thinking makes it so." Gibb delighted in pleasantry, and was never satisfied unless there was some nonsense going on. "The degeneeracy of the ege is astoneesheeng," cried he, "they queet negleect the bottle"—remembering a character of the drama, in a phase not unlike his own. "Bring Gawin to our feast—let the beesiness of life go sweetly and meerilee, as it will eef eenspired by the good fellowship promoted by our right barley bree—when eet is weeth us, not when we

become stale by its departure." There was in that man's merry, careless soul, never lost to himself or intemperate, a dread of that grave futurity of which his education had taught him to hope so much. The wag in hurried succession drank to the memory of the hero of Waterloo, and to the grandchild just born. Wellesley had forgot his pains still more effectually in his intoxication with these attentions when the doctor appeared.

Horatio was worse—perhaps dying. Officers and plain men were on their way to effect the ejection. The party rose, every face flushed with rage but Swinton's. It was proposed to procure guns, drive the men back to the Burgh and throw MacIlwraith into his own duck-pond. "Gentlemen," said Joe, who had scarcely tasted of the potent liquors liberally placed by him at the disposal of the party, "I'm a law-biding citizen of this reealum and use morell swayshun." It was problematical whether the captain of the band would not

have shown himself to be only physically strong too, had he not loved. The new "perfection" kept steady the genial current.

Within the Mons Capitolinus it behoved Joe to decide how best he would act worthily of the cause, and of the loftiness of its treatment which he had so righteously imagined. He felt brave with only war before him. Within the house, in the candlelight, he would be sure, even in the solemnity and sadness reigning there, to blunder ridiculously in his high office of defender of the weak and innocent. Wee Dan'l would be committed to his arms, and render them powerless—the young mother would lean upon him and he would tremble. Without, he could amply play Sir William Wallace, and strike a terror by an attitude, without words, such as he remembered the portraits of Messrs Kean and Macready to have done to him on thin pasteboard in their characters of Richmond and the hero of Scotland. There might

be much power in an attitude, and Joe strode about in the barn as Sir William—Sir William speechless, for when he sought words there came but the speech of Tim Todd the tinman, hero of “The Blasted Bud of Elfin Woods,” or on the “Wolf’s Prowl,” the favourite tale of the “Penny Burly Journal” which had helped to supersede the fine swelling sentences of the older literature, concerned only with noble heroes. Tim had the following: “Midnight marauder, doubled-dyed villain, rascalion! foul not the fair things of heaven with polluted hands. Harm but a hair, or by yon ever living moon (that ever living moon was good and something after the old style), thou diest on the ger-reen se-ward (so was that). Elsie, my soul’s solder to this cracked life!” Nothing was to be made of the teaching of the language of men—beyond the Lohilmuir—by “The Blasted Bud.” It was not possible to borrow its eloquence to render chaste the hearts of Sheriff-

officers. It seemed, put to the test, wild and mean. Yet words were used everywhere from the Senate to the field of war with effect—to reason and persuade and move to tears. In “The Woman Slayer: or the Toils of Duke Dastardado,” which was a tale of high life beyond the Lohilmuir—speech had reformed an obstinate poacher who had in turn reformed by moral persuasion the Duke Dastardado. Much was said in it about “Polydorus laid,” “murderers’ scowls,” “unnatural monsters,” “fatteners on crime,” “beauteous child,” “loved Hermione,” phrases which seemed not inappropriate to the situation; and as something eloquent must be said, in place of that something powerful which the new recruit to the realms of mind had been hitherto accustomed to do, Joe did not see that he could address the coming enemy without the aid of a word or two from the poacher in Dastardado. He had misgiving of his ability to fulfil the office he had under-

taken just when advised the enemy was at hand.

The officers were coming up the road within a few yards of the house. "Rabble-hounds, midnight marauders," forsooth!

"Ye'll tak a dram, offishers!" said Joe, with a well-filled bottle in one hand and a bright glass in the other.

He drew his lips about with slow tempting humour, and his eyes twinkled as they sought to anticipate the unspoken answer of the men in the affirmative.

The request in itself was concerned only with a mouthful of strong drink, but the certain answer silently entailed a good reception to Joe's endeavour after eminence of command among men.

"There's fivver in the hoose—very bad—verra," said Joe, as the glass was returned to him by the first man.

That man, the prominent features of whose appearance were a billycock hat and an eye of

which the observer remained doubtful whether it saw or was in a perpetual state of wink in the closing stage, struck a match on Joe's sleeve and protected the burning brimstone beneath Joe's nose.

"Ye'll wait till the mornin', may be," said the pleader, as the second officer, having emptied his glass, croaked away many criticisms of men and things entirely by the aid of an adjective which the usurper, of the house of Cawdor, used very forcibly when he assigned the cause of his vision of the stained dagger.

The fourth man (as the third drank, with a deliberate eye on the remaining contents of the quart bottle) who possessed a figure of unnatural litheness, due probably to an unremunerative justice, tossed over Joe's head a great tuber, which it was the lithe man's humour to catch within a few inches of Joe's face.

"By golly," cried the lithe man. If they



sing at gravemaking, they may grin at a spuilzie.

“Ye’ll be nane the waur o’ an eke,” cried Joe. The third man particularly seemed to him to possess an infectious dulness of spirit which it was reasonable to suppose did not give way to sweet humours under a gill. He seemed, be it confessed, restless for improvement. And the proposal was received by all with sufficiently manifest approval.

“There’s a soger (soldier) in the hoose,” Joe said, already knowing that the child had been dedicated to the service of Her Majesty in the army, and in a famous regiment thereof.

The hoarse man croaked his favourite adjective and laughed loudly. The lithe man rolled a barrow which uttered a plaintive, because rusty, cry at intervals, sufficient to tickle a conclave of cardinals. Cyclops again threw doubt upon his title to the name. The dull man took a step.

“ Oot wi’ yer soger,” growled he, speaking for the first time, and therefore with authority.

Joe had borne their insolent playfulness with marked patience, not from stolidity—for he began by boiling internally with rage—but from thankfulness and wisdom. The new “perfection,” sympathy with “old Bell” and Rashy, the contrast of his own stalwart body with the shrivelled forms before him, bore him up. But it seemed as if when he was asked to bring out the young soldier that all the glory of his humanised nature was to perish for the nonce, because his hand was unaccustomed to child lifting. Joe, with almost pitiful fear depicted on his honest face as the men looked into it, said—“ The soger’s—the soger’s—by the holy poker,” a favourite phrase of Joseph’s restrained but boiling warmth, “ the soger’s a suckling, he’s at the mother’s breast !”

There was a roar of laughter, hearty human laughter, from a body of men becoming divested of all sense of quarrel.

“By golly!” cried the lithe man leaping; the hoarse man spoke his adjective, in use for all states of mind; Cyclops threw further doubts of his belonging to the Cyclopean brood; the dull man took a step and returned.

Then a noise proceeded from the barn. The officers were seen from that quarter not to move off, and Fergus, having read history, and just learned from Joe of the “Ac’” anent the deforcement of messengers, resolved upon making the men afraid. But chiefly from that strong sense of security which doth hedge a sheriff-officer, the myrmidons of the law did not budge; yet they were about won.

Won they, but for the impetuosity of the reserve forces. The men within the barn caught sight of the MacIlwraith men behind it; and it is not in human nature come to fight an enemy to be idle with its enemy by. Both parties came with a rush, and assailed the door of the tenant’s house.

Meanwhile within the sick-room the young mother had lain watching for the approach of the dreaded officers of the law, and eager to be worthy of the birth that represented to the world there was a new generation of the blood of the heroic trooper. With the suppressed sighs of the young mother, the occasional groans of the grandam, and the cries of the child, there mingled continually now the ravings of the dying farmer.

“Eetem,” he muttered, still upon his stolen effects,—“eetem ten-scoops, four an’ sax. Will, man, yer roch; there’s more than a glimmer o’ sense in ye; ye’re crouse (spirited), but we maun a’ bend,”—dwelling upon the conduct of a refractory ploughboy.

And then he would dream of his horses, whose stables were empty of them, never to be occupied again by Dinmont, and Star, and Specky. “Be guid to the willing auld horse.”

So this honest man, this “noblest work of God,” who loved his Bible and his wife (the

child he little knew), and had a ready hand for a neighbour, unambitious, simple, laborious, perished simply of injustice.

He had thought (dreaming in delirium), of the humblest of his late followers. I envy not that man's heart who derides the honest fellow because in his calmer hours of illness he thought not of himself.

The young mother heard the knocking at the door, while Wellesley and the schoolmaster stood in the adjoining room. She thought she heard above the noise a cry for the appearance of her son. Hastily wrapping the child in the martial cloak of its grandfather, one of the articles yet safely guarded from the clutch of MacIlwraith, in an instant she stood in the doorway. Her dark hair falling over her back, and her pale face showing the courage of just pride and indignation, she with her head exposed confronted the assailants.

"If ye seek my husband, Horatio," cried

the brave woman, "he will be found beyond my own corpse."

The scene was animated as a picture by Wilkie. Not a foot stirred, nor was a voice heard.

But the young soldier's head had not yet come forth. The child had been asleep ; now, perhaps, taking a liking to the keen air of the muir, of which he had since his birth only a polluted sample, he struggled up through the mother's grasp. He gave a sharp cry, not of pain ; and seeming to steal up through the brass fastenings, he was thought to thrust his little hand out towards the door and hold it straight. This was the grandson of the old Lieutenant.

All eyes were bent on the child, including the namesake of the Great Duke, as if he—Dan'l—had commanded there. The blood of the peasants thrilled, for they all remembered the dead warrior ; and into reverence, which had no superstition in it, the humour of the

men passed at the strange odd movement of the new posterity of the martial spirit, in the third generation. The lithe man, who had in the silence sounded two notes of his mocking instrument, stopped ; the hoarse man drew down his muffler ; the dull one changed his stiff attitude for a bend at the side of the hero ; and he of the doubtful eye raised no further doubt concerning it, for all were sure he saw.

For a kiss no man dared whisper ; but there was a fight to shake the tiny hand with good-will. If it had menaced, they were ready to believe it now offered in friendship. The memory of the hero of the great fight, the proud mother, a look, or a fancied one, in the child, restrained every tittle of mocking humour. It was delightful to see respect and gleesome tenderness united in callous executioners of the law before the least of their intended victims. They each promised offerings of relics of the heroic times. The

hoarse man had a bullet at home extracted from his great-grandfather's limb, on the side of "Prince Charlie" at Culloden ; and that bullet seemed to the hoarse man somehow to make him by descent companion-in-arms with the animated bundle before him. Cyclops informed the group of Battleknowers that his uncle was a sergeant in the Black Watch. The lithe man possessed the horse-pistol of a Spanish colonel, which would be duly exhibited to the boy. There was a look towards the dull man to learn his connection with the military ; but he had none, and was very sorrowful, groaning audibly.

Wellesley took the child from the mother as the officers and Pennyburners went down the Knowe. "It's him ha' done it," he cried ; "the Colonel ha' vanquished them." He looked into the young soldier's face for a cry of exultation.

But, either a warrior taking his rest, or one of too lofty a temper to exhibit exuberant



rejoicing over the surrender of the foe, Daniel lay still.

The fascination that made them lambs was a secret happiness to all of these men, commonly believed to be wolfish. The hoarse man spoke and yet did not use his adjective. The party knew then how moved he had been. The lithe man dashed his tuber off in the direction of Pennyburn. It was the only property on the farm disturbed. The form of its seizure and subsequent disposal relieved the mind of the conscientious officer and the feelings of the restless man. And the peasants of Pennyburn, who had offered no relics of great deeds, gave modest assurance of their interest in the fortunes of the boy, whom they refused to harm. The gean, the blaeberry, and the bramble, the cushet and the wild rabbit of their woods, the humble but ample provision for childish joys at their command, would be his. In time, the steeds of their stables for a scamper on the muir would be ready for him,

before he should bestride his own charger, like his grandfather—for the goal of fame, like the Great Jook's.

The noise without seemed to have awakened the farmer from his fevered dream. But the terrors of ejection were always present to him. The wind rose angrily in the west, and brought a pall of clouds over the moon. As it moaned through the lifeless branches of the elms round the steading, seeking out the recesses of the sick-room, and then fell in the growing darkness, there rose a cry of agony, falling after a little time into a soothed-like sigh. The prostrate frame of the farmer shivered, and the vital spark went out. There had been no warrant in the natural constitution of the man that he should so sicken and die.

This was the last spuिल्zie at Battleknowe. A string of daisies in the hands of Dan'l pleased, in little time, the regenerative Wellesley as much as a process at law had excited him. The healthy laughter of the

child was as sweet to him as the voices of the Judges at advisings in the Inner House had been once on a time. The young hero's yearning cry at the sight of horses—grey ones Wellesley took him to—brought a glow into the cheeks of the middle-aged gentleman. He wasn't grown sentimental over a baby. It was lovely to see how healthily interested and amused the old haunter of bars and jury-rooms, and hunter of counsel and solicitors, became over the young soldier. It was a happiness he found in his weaker, poorer days. Had he been strong and rich, the lawyers, too, would still have seen him passionate over injustice. So did worthy Wellesley, as most of us do or try to do—graciously, generally unconsciously—hug what we are called to, and do, like, and, with some show of sense, do not whine over the past as necessarily given to folly. It is not unlikely some good was accomplished by the indignant man's warfare. So let him play without much of our

moralising or his whining. Let the curtain come down now over him and the child falling asleep on his breast as he dreams still of victory in days to come.

It is not always that Time brings about its revenges with the unerring certainty depicted in "The Rake's Progress" and "The Idle Apprentice." The burning torch and the whip of scorpions were not applied to wound very deeply him of Pennyburn or his.

A quarter of a century passed away, and the intrepid officers of Africa receive homage from their countrymen. In the burgh-town of the Lohilmuir there is a banquet and a ball, where a bronzed captain, born at the Battleknowe, is the hero of the time. The Lady of Pennyburn, young, fair, and without a husband, trembles as she leans upon the arm of the gallant soldier. But she sees him soon leave her for another who bears the name of Swinton.

The scene changes to Battleknowe, and the soldier is accompanied there by this same fair damsel, daughter of the "eminent" contractor.

The officer, with an effort at some gaiety, drew his companion to him ere they turned to leave the spot. There were tears there for the story of the fatal night—sunshine for the day just breaking.

*THE LAST CLAIMANTS OF THE R—  
PEERAGE.*

I SOUGHT Sandy Redford, one fine early autumn afternoon, beneath the elms of Hillside, and in the shady lanes leading to and from the retreats of peace-loving citizens who affect the southern slopes of the city's environs. I had heard it said that Sandy had his eye on a great mansion there, to which he intended bringing a bride.

It was the hour of leisure before dinner. I was informed that the modest lawyer (he being a member of a legal body) had just returned home by way of Uddingston and Holyrood to his house in St James Street.

I desired conference of my acquaintance respecting the pedigree of a reputed descendant of one Dugald Macpherson, a relative of Red-

ford's late mother, whose loves had somewhat confused the vision of the proper branches of the family-tree. I knew my friend to be sensitive respecting connections given to looseness of morals in their philoprogenitiveness; and I was glad to know I might meet him in places rich with memories even of the stern grandeur of his own ancestry. Would he saunter over the cool, wavy grass sacred to devout David, hero of the miraculous cross; within the shaded porticos of the palace once familiar with the voices of merry monarchs that would be still at a look from R——; within reach of the "strange historic aroma" of the old garden, coming now blended with the odours of full-blossomed mignonette and ripening oslin, but where an R—— was never known to stoop to play the gallant fool—Sandy Redford might have one thought in speaking of impure connections—a proud regard of his own unsullied blood. His father, whose only child now living he was, was

claimant of the great Earldom of R——, in abeyance for more than a century. The estates of the family had fifteen years ago been the subject of a long and costly litigation, which might yet be renewed.

On my way down the Canongate—the Redfords, father and son, still living off it in St James Street—I was reminded, in thinking of the blood of the turbulent Earls slumbering in the veins of a scrivener (but a few years ago a managing clerk), that Time was challenged to lay low the giant edifices of the old nobility. It is the habit to point the moral that by reason of their great strength they have been put to base uses. But I do not know, after all, that these uses are so base, and that we need to grow melancholy over the substitution of corduroy for embroidered coats, of occasional barefeet and clogs for high-heeled shoes and gold buckles. I know that this afternoon, with the clear beams of old Sol resting on, and giving a



calm content to, the grey stones, as here and there, too, in the small high windows stands a geranium, or sits piping in cage a lark or bullfinch, I will not believe that in the throng, savage sometimes, and illiterate generally, as it looks, there are not some hearts as true, and demonstrations of their warmth and humour as interesting, as in the days of the kings. I am not to be led away simply by the magic of old names, magnificence of costume, and the fame of the world, into forgetfulness of the beauty and the humour of the obscure and the present. *Moi que vous parle* have not been drenched with my own tears over the story of Queen Mary ; yet as I see now issuing from Macgrowther's Close Mary O'Grady or Mary Sullivan, a young Irish widow, tearful over the bier of her husband, who has probably ill-used her often, I confess to thrills of sympathy and admiration. There is a true loveliness here, which, according to some historians, could not always be credited to its real foundations in

the case of some princesses who have swept by in these places in other times with their great trains. I like generally to feel with the present. I have no concern with the banquets of Bothwell, and his hose "passemended with silver," and doublet of black satin; and do not believe that the turbulent chiefs, making "bands" not to be kept, enjoyed themselves at all over the venison and sack. Tim Todd is skipping by me, cripple yet strong enough, his complexion clear with good-humoured temperance: it is afternoon, but I suspect he carries his breakfast; two immense "bakes" peep out of a paper swinging in one hand, and a small parcel of red-herring obtrude their rich colours out of a wrapper in the other. I follow the "wretch" in fancy, yet scarcely with pity, as I see his fine hunger, in the appeasing of which there will be a glow of the entire man, heart and intellect. I would rather sit down with simple Tim than have been one of the guests at the wedding-feast "stood" by the

Earl opposite on the day that the Marquis of Montrose passed the balcony on his way to doom. Persons of rank discredited their humanity there on that day. A crowd of urchins, pained with the difficulties of learning, shout and clatter about this Moray House. Three children are pacing the causeway before it, and are unconsciously performing a pretty scene in their life's drama, while I shudder at recollection of the inhumanity of a Marchioness. The boys, anticipating the autumn nights, have commenced their game of hide-and-seek; but the middle one is weak and deformed. With what brave kindness the elder companion seizes the cripple's hand; with what delicate considerateness the younger of the three, but yesterday a babe, tries to assist his weaker playmate without wounding his sensitiveness! Melancholy need not entirely possess us, as we muse amid these cast-off residences of old nobles. We may, if it does not, reserve a better admiration for their descendants. I

wish, however, that Queensberry House were still before me the residence of wit and beauty (though I am not sure that both may not still be found there), though Gay is not warbling the theme at the tavern over the way. It is now the refuge of men and women destitute of bread. Gratitude, resignation, peace, must be accepted for bright eyes and flashes of soul; and we must seek elsewhere for these latter commodities, of the refined order at all events. In the thoroughfare, where passed in olden times the pageantries which alarmed by their magnificence the Frenchman and the Spaniard, I delight to think there was much beauty and wit; but for the mere show of the princely masqueraders and the noble assemblers at joust, I am content with the substitute of Cook or Hengler. Nay, doubtless, with the local giantess or the fat boy—for the present the showy attractions of the place—if one had but on hand the necessary homely spirits and aptitude, an interesting half-hour might be

spent. The commodities of merchandise exposed to view have mostly seen service, but yet have redeeming features. What though a pair of tongs, which, after having brought a refractory relative to submission, are put to "Uncle's" to raise a shilling, succeeds the Toledo blade of the armourer? The blade probably did the most injustice. The refectory of the quarter, to continue the catalogue of objects which caught my attention, passing over some vulgar merchandise, included immense quantities of black geans. How often had my boyish mouth watered at the sight of these innocent fruits of the forest hanging wild on the tall branches; and now here for a penny I am supplied with more than I ever gathered with the most determined climb! I am back again to Birnam Wood, a boy once more, with the aid of these little black cherries; and so, under the spell of this trifle, I am engaged with personal reminiscences—"a poor thing, but mine own"—and am before

the palace in forgetfulness of the vicissitudes of a place for which I can now summon less sentiment than for the scenes of modern life I have just witnessed—wishing, indeed, that chivalry and poetry, for which its kings were famed, were still there, agreeable with the security and happiness of the people—my democratic friend.

Not disposed to venerate Sandy Redford simply on account of his ancestors, I was the readier to appreciate his own merits. Meeting him once in the town hall of his native place, I was shown the portrait of an ancestor, with an account of his skull, ycleped “harne-pan.” The Earl seemed a dull rogue ; and I was convinced, as I sat for an hour with his descendant in the Red Lion—a simple, honest, learned soul, then of no account in any circle whatever—that the descendant, who could besides show an equally large “harne-pan,” was the greater of the two. Now for the last two years he had been in a position of importance, and one which gave him fortune,

he having succeeded to a business which lay chiefly in the management of the estates and financial concerns of country gentlemen, and was worth a few thousands a year. I could not imagine Sandy buoying himself to self-assertion, as greater men have done under similar circumstances. He was not one, I believed, to cry, in the busy haunts of men and fashion, "By my faith, I've plucked up since then, and will let them know my weight." He would rather continually dwell with his Montaigne, or smile over the humours of Tristram Shandy and Jack Falstaff, than strive for a consideration whose worthlessness he knew, and could not value at a pin's fee.

His father, old Robert Redford, who was nearly eighty years of age, was a man of another stamp. His passion was to compel recognition of his claims to rank, wealth, and distinction. The Court of Session and House of Lords had hitherto refused to give him rank and wealth; the public withheld the

grant of distinction. It is hard, when we are truly peers, large owners of the soil, and great men, to be without the substance of the honours which birth and nature have conferred upon us ; and under such circumstances some irascibility towards persons of insensibility may be permitted. I had heard of a local man of dough, possessed of some houses in the Canon-gate, which he had acquired by hard thrift, going to the claimant to compassionate and counsel, and returning with his nasal organ somewhat impaired by his interview with the descendant of the master of princes. It was rumoured that, at a recent banquet at which lords and ladies sat on a raised platform, he and his son being shoved into a corner, that he broke a willow-pattern plate—base, “orra” utensil—over the pate of a waiter. The tales were common of his self-assertion. He frequently communicated with Burke and Debrett, and his brother peers, to secure their recognition ; but I never heard that he was designed



as Earl of R——, except in a twopenny almanac in the burgh close by his farm, which it was suspected had been published by himself. Yet there seemed to some lawyers no doubt of his propinquity to the last peer. The injured flyleaf of a family Bible stood between him and greatness, it was said. The world was ready to worship if this leaf were only clear. But it was confoundedly obscure; and Robert Redford was not seen by and known of men, and did not dwell in a castle, was not styled my lord, and had no satellites and hangers-on of his nobility and greatness, because of the instability of ink!

Was it possible that the time was coming when it might be said of the soft and peaceful Sandy too, as had been said of the self-assertive and vigorous gentleman his father, *Perustus inani gloria*? As I now approached him in the Park, I saw that his dress was particularly gay, while he seemed lost in thought, of more concern than accounts of charge and discharge

might excite. I had observed, on the part of my modest acquaintance, a practice of securing a loud blast from his nose when alarmed by the necessity of making a demand upon the attention of others. The sound emitted now in a great bandana, in which he for a minute almost buried his face, was in excess of the usual vigour. I accordingly fancied I had been engaging the thought of the worthy gentleman, and expected a communication from him. We proceeded together to St James Street.

We passed the houses famed of Smollett and Monboddo. Here, with rather faltering step and subdued mein, some syllables of powerful rhyme struggled upon the lips of my companion :

“Fair Burnet strikes the adoring eye,  
Heaven’s beauties on my fancy shine ;  
I see the sire of love on high,  
And own his work indeed divine.”

Was my bachelor friend determined on playing the lover’s part, and begun to practise before my humble self, and even incurring pain

to let me see he could be concerned with the poet's fine amative frenzy ?

Seated at his table over the Chateau Margaux, I was informed that a long line of ancestors commanded him to go forward.

“A plague on your ancestors !” I exclaimed mentally, incredulity escaping from my countenance as I put down my glass with a faint smile. The speech was that of a man whose going forward might bring ruin, certainly sorrow, with it.

I saw the pangs of the resolve in his diminished cheek and watering eye.

“But,” said he, his face brightening, “’tis to please my father.” Then, with a humour a trifle too faint to mark its possessor as quite robust with it, he went on : “My fate cries out ! Besides, I am ill at my father always acting Schahzaman. I must marry. I must devote myself now for a time to the tender passion” (drinking a glassful of the Chateau Margaux to agitate the placid blood) ; “and

then we must prosecute the claims for the peerage, which my father was obliged to abandon for want of funds."

It was probably the first time in his life that Sandy Redford announced his intention of doing anything particularly great for himself. Self-sustained characters with a design upon the world will generally have it a great one. Sandy had not resolved vaguely to "put it right;" but for a quarter of a century having sought no more from it than the liberty to "wear out his time" "for provender," he one day called out for a peer's daughter to woo her, and a coronet for his own head. It appeared that his father "must have blood;" and he was in treaty for the hand of a daughter of his client, my Lord Baggerton. I was asked to assist him in the treaty.

This sudden burst of resolve to be greatly active, and to spring at a leap into rank, caused me particular consternation. Did the Gover-

nor of Queensberry House now design that the beauties of the English Court should be put up in his residence, and that the Laureate should be brought down to celebrate their charms in fitting rhyme, I could not have been more surprised. All about the lawyer indicated that he himself had sought nothing of Time except that he should not be disturbed. Here he was, with a handsome income, living in a street unknown to fashion ; its appearance and furniture were the same as they had been forty years before ; for Sandy had bought the whole concern off the hands of the genteel keeper of the lodging-house with whom he had boarded for twenty years. Mahogany, maple, and fir were thinned and worn with age. My host had to readjust the legs of a table which nearly fell at my feet, and upon which I had incautiously leant as I stroked a large sleeping tom-cat catching above the pile of papers on it the rays of the afternoon sun.

The chair on which I sat demanded tenderness. The kindly touch of the proprietor for all long-familiar created and manufactured things was visible everywhere, uncrossed by hazardous inroad of novelty. The flaws and weaknesses even of these objects of daily interest were dear to him, no doubt. The halt in the tick of the old solemn eight-day clock, the creak from the rusty door-hinges, the cracks in the wall, the scratched window-panes, the dingy "garden-of-roses" wall-paper, all gave him a species of delight. I could not now imagine my host seated among the new, bright, garish wares of the upholsterer of the day. And this was he—that same he who was for leading to the altar a lady of rank and fashion! to please his father no doubt. I prayed there might be nothing but comedy in this drama of devotion to a parent's cause.

My host informed me, with a smile that disowned the speech and acknowledged the humblest of God's creatures as his equal,

that never in their depression had the Redfords been allied with "gutter blood." But no sooner had the last heir of the proud race informed me of this circumstance, than two lads somewhat mud-stained in their lower attire, who happened to be allies of my friend, popped into the room. We both laughed, and Sandy gave them a couple of oslins as they stood grinning at us. It appeared they got once a week a lesson on the fiddle in this apartment, and finding the door open, had rushed in to commence operations with their teacher, who was accustomed to spend an hour after dinner with these hearty boy, sons of poor tradesmen of the Canongate. While I was reflecting upon this custom of an afternoon, in connection with what might be expected in the drawing-room of my Lord Baggerton's daughter, a cabinetmaker in moleskins, and a poor bookseller who purveyed for the meagre demands of the quarter, further invaded the room, and were asked

to sit down and take a glass of port-wine. The one had a piece of carved-work, in the design of which Redford had assisted ; while the other wished legal advice for nothing—and washed down with cordials—regarding the purchase of a small library of an Irishman just deceased, whose executors were for disregarding the Inland Revenue and the Commissary. Though deeds of kindness are amongst the employments of rank and fashion, the great do not usually seek companions in the humble ; and I saw that Alexander Redford had more than commonly so done.

It had always seemed to me Sandy would rather fly to the aroma of a garden of flowers in a spring-shower than meet the melting of a woman's eye. In a favoured nearness to that exciting orb, his delicate and apprehensive fancy might discover a train of a thousand succeeding mishaps. He would gaze into the dim religious light of an old cathedral, into the retreating landscape of summer or the



mirk of autumn woods, than wait on the hour of her melancholy or chase the gathering gloom of her brow. He would watch the larks seeking the heavens with merry song, the lamb playing in the paddock, or hear the prattle of children in his old street, than think of becoming rich and happy with descendants. Yea, might not unrelenting bachelorhood (in the case of one who loved all change so little) find delight enough in the varying humours of the tough old man, his father—apparently destined to falsify the observation that all men must die—not hazard his tranquil joys with the fripperies of the sex? Not for want of affection, but in fear of dragging it from its rest, setting it in new and untried places, might he tremble; in action he would pale with sad misgivings of its insufficiency or the burden of the seeming necessity of its just and continued distributions.

The great traditional ancestor of the Redfords was a Culdee; and I could discern that,

deep in the character of this nineteenth-century man of facts and figures, was a love of monastic life. He would have delighted to sing the matins at midnight, to chant the canonical hours; to haunt the hospices for pilgrims and strangers, and talk with bronzed travellers of Holy Land and perilous adventure; to treat the lonely wanderer of his own land with kindness, and be recompensed with the kindling eye of the beggar; to work out the delicate tracery of the magnificent pile in which he dwelt; to indulge his healthy stomach and social heart in the hall with his equally-contented fellows, feeding off the "wedders," and "marts," and salmon, offerings of nobles and the produce of their own lands and fishings—the beloved "braes" and rivers of his country. By heaven, I do the good man's memory no wrong to write of him as he was; but I might think so, here, when I remember Redford as he was at rapt moments. That same evening on which we had a tankard

of the modest home-brewed at the Red Lion, did he not transport me into the world of dreams, and back four centuries, as, sitting at midnight, while the moon was sinking, amid the ruins of the ancient abbey, I heard him sing in deep rich bass, sounding among the stones, some lines of an evening-hymn? This was his lost element; and thinking of it, the jangling substitute of the nineteenth century, concerned with compts, and reckonings, and theories, might seem a waste only.

There were none but the humblest (who came to seek, yet with appreciation beyond the gift) visiting St James Street in former days. Sandy did not attract men of the world now. The insinuations of his gentle humour were to them tame and feminine. Nor did the outward man please them. His head was large, and his simple, kindly face was massive; the nose, its prominent feature, inclining to the Wellington pattern: but his legs and feet were short, thin, and soft—not ungainly—not

even those unpretending feet, encased in crumpled shoes with upturned points. These lower parts expressed humility ; and humility to the mass being meanness and insignificance, the last heir of the Master of Princes, foiled by poor ink, had been avoided. (Now, it was true, that he had grown rich, he had to avoid company which would have forced itself upon him.) I, who—the power is not uncommon—can sometimes see some beauty in a discarded and derided thing, could not disassociate the gentle and unaggressive character of my acquaintance with these humble feet. I had testimonies in them that their owner was without guile ; and I acquired an affection for them, these insignificant feet with the crumpled shoes and upturned points. I did not need to forget them, and look only on the dark-blue surtout, fitting well the ample and well-proportioned back of my acquaintance, the managing clerk, and on the linen of fine and spotless purity—specially admired of the

ladies of the *corps de la cuve* who congregated near his quarters—when we passed the statue of His Grace the Duke of Wellington, and met the dandies of Princes Street arming to the Academy of the Fine Arts. If it might be said of Sandy that he scarcely “conformed to the march of time,” but was “dragged along in the procession,” as a pleasing variation he was to me all the more welcome.

After the tradesmen had been dismissed, I was informed it was now the hour for the father of my host making his appearance after his nap.

The coming of Robert Redford was made quite unmistakeable by the noise of his tread, his shoes being double the weight of other men’s. He also beat down on the floor at every second step the point of a heavy oak cudgel, which, variously named “Bug-exterminator” and “Censor,” was designed to operate as physical and moral medicine to pestiferous creatures and heedless scoundrels. Having no well-meditated command of the

ear of the world—indeed, none now of any kind—he adopted the only means in his power to make it acquainted with his movements ; but as nobody lived below his dwelling, it may be supposed that the old gentleman must be satisfied with the semblance of his proclamation. His sense of importance was never pleased without daily inquiries at the servant about callers and letters for himself, which but seldom came. To-day there had been a visitor ; the daughter of the cab-driver who had long driven him and his cudgel about the Queen's Park and suburbs came to inform “the fare” that her father had died yesterday. While resenting the impudence of the supposition that he could attend the funeral—being a determined stickler for all the formal honours due to rank—he resolved to follow to the tomb the remains of one who had done him the favour to precede him in death, as in life Jehu, on the box of a creaking four-wheeler, had so behaved.

When he saw me, he was already looking to see somehow in my presence signs of fulfilment of his hopes. Then, after he had shaken hands with me, and had a hint of the main purpose with which I was brought there, he threw himself down on the sofa, and said, with a strange affection, too, in the humorous sally—

“Sandy’s back’ard !”

Thus he intimated, with extreme and sudden candour, the scepticism of the loving but anxious sire.

I saw it was a languid day with him—a day in which the mind clings softly to the gentle consolations, and avoids the assertion of its native energies. It was not a censorious day with the old campaigner; he had been ill with a vertigo. Like a child possessed by its one much-fondled fancy, yet conscious somehow of the absurdity of thrusting it forth, he asked doubtingly for a sign

that his prayer was granted. "Sandy's back'ard!"

The small grey eyes of the old one opened and shut in playfulness as the younger man stood over him.

"He's eccentric, Robert Redford," said Sandy. "He worked hard for me—very hard—when young; and now that he cheers me in his *riper* years, he wishes to separate from me—he wishes to be gone."

Father and son were not like each other in appearance. The sharp, decisive, and fine-gentleman look in the countenance of the retired farmer of Leyside was a contrast to the broad, serious face of his son. It was clear the sire had lived not on placid contemplations, but on the activities of passion—of love and hate; hate too much, for the application of the tender passion was now confined to love of his son, while he hated not a few of the vile things of earth. Towards Sandy his manners were generally



soft and tender. In his society, or thinking of him, the world wore its sunnier aspects—its beauty and calm; with Sandy beside him, flowers bloomed for his delight, the birds sang their morning carol, and the evening-hymn of praise might be heard in the old-fashioned dwelling even in the cricket's cry. They were simple lovers of nature, and, linked together, there was no tragedy in their loving hearts; and a midnight cockcrow or an owl's shriek would be noted in their solitary lives not for superstitious alarm, but in pleasantness and with jest and merry allusion, as such trifles cause in simple, leisurely households. Men—strong men—he had struck and stung. Robert Redford was not a wasp, and had, not being mean, escaped extinction, but he could never succeed. He could see only one thing at a time; and when he saw a man doing wrong, he had no sense of the difficulties of righteousness, or of his own errors, but smote

as if he were a prophet. Opponents readily found a justification of their severe retaliations, and he easily fell a prey to the labour of the adroit specialists in the business of the world. He was formidable so far, that—having no light humour for his enemies, and no vanities which common men might prey upon—he never compromised; nothing conciliated him; and his work of redress would be prolonged to the millennium, were there not nature to cut it short. He had now fought for fifty years and more, and throve in his bodily health on the warfare. As Cæsar looked to a dose of campaigns to relieve his sick body, Redford's vision of new succession-processes with his old enemies brought the colour of middle age back to his wan, aged cheek.

“ ‘Fair Burnet strikes the adoring eye,’ says Sandy to me,” the sire went on when his son had left the room. “ ‘Which of them,’ says I, ‘Jane or Artemisia?’ ‘I am wedded to Robert

Redford,' says he. Stuff! when a man's fathers go back to Kenneth Macalpine, he weds them best by doing it through a beautiful and fine-blooded Artemisia. Ah! Sandy's back'ard!"

I suggested there was yet time. A dark shadow passed over the old man's face.

"Time! If my weary bones were laid in the old ground there, he'd never do't. As long as I live he cajoles me—he plays with me—when he should be cajoled by Artemisia. Lord bless you! when I open my eyes i' the mornin', there he is, like an Adonis; but where's Venus? I'm his Venus—I, his old, done father. I say, 'God bless you, Sandy, man; han't you got a young woman i' the house yet to "gather rosebuds while old Time's a-flying."' Ah! the good claim will die. Sandy's back'ard! The good claim will die!"

The son returned in a few minutes with a three-cornered perfumed note in his hand. The old man gave a sniff.

"Eh! Lord ha' mercy now. Billet-duxing!"

He stood upright from his chair ; his eyes flashed, and his attenuated form seemed for an instant to recover the vigour and liteness of youth.

“ Fill me the flowing bowl till it runs over,” cried the excited humorist ; “ we’ll water the tree till its young head stands highest of the whole forest.”

He sank with physical weakness back into his chair, waving his great handkerchief over his head as he fell.

“ It’s short and sweet,” said Sandy, who offered for our inspection the first and last of his love-letters.

“ Who talks of fathers when Orlando is the man,” were the words, written in a fine, bold female hand. That was all, except date, and the initials “ L. B.”

The sire was disappointed ; he threw the note down, and took up the “ Censor.” “ Oh, confound you, Sandy,” cried he ; “ am I to read a new history for the race on a blank

sheet of paper—blank but for a reference to Will Shakespeare?”

We were asked to notice the crest. It was that of Lord Baggerton—a well-known and influential peer not far off. It was the Honourable Lydia’s handwriting, we were informed.

“Eh, Sandy!” With strange emotion the old man looked long into the face of his son without speaking, the “Censor” being allowed to resume its old quarters of repose.

I was doubtful, yet more alarmed. My Lord Baggerton had the repute of being a very clever, sensible old peer, but a waggish one. His acceptance for a son-in-law of the eccentric heir to the claimant of the R—— peerage, even with his few thousands a year, I would believe when I had proofs.

The influence of the Baggerton family being secured, more wealth would flow in, it seemed, and the good claim be prosecuted, and not die. Perhaps the noble Lords, seeing the fair and

honourable Lydia, daughter of one of their own respected number, hanging upon the arm of the heir ; perhaps his then ten thousand a year ; would lighten up their human eyes, as they looked on the family records, to see clearly. I was retained as new solicitor for the claimant. The first step of my client was to get married.

“Sandy,” cried the old man, “it’s God Almighty’s arm puts the humble high ; it’s by His might the like of you walks into the kingdom come. Sandy, the old tree’s a dying ; but the young one, by His arm, may stand highest in the forest !”

His head fell upon his son’s breast. The excitement had been too much for him. A low deep sob preceded the sigh of physical prostration ; then all was stillness, and he seemed to sleep away. In a few minutes he rallied ; the animated spirit stirred the weak frame, and he breathed the dear, familiar name, “Sandy,” whose face responded with serene tenderness.

As the night-shadows crept over the city and

darkened the narrow streets of the Old Town, I drew aside the curtains over the windows of the room and let in the light of the street-lamps. It fell upon the lineal heirs of the Masters of Princes. As I adjusted the damask so that the shadows should again fall over the face of the now slumbering sire, Hope, with a bright compassion, seemed smiling over him. In the silence I gazed upon two large paintings hanging on the wall, and which the rays from the lamp partly lighted up with a strange, sad solitariness. One was the portrait of the late wife of the claimant, and the mother of his son ; the other was a dark picture, suggestive of the futile ending of all worldly ambition—it was the burial-place of the Redfords, the only portion of soil which the father of the claimant had been permitted to retain out of certain appropriations. Upon the sweet, grave face of the lady I read the decline of human interests, a turning to the saddest music of prophet and poet, to the pale reflections of the feminine

religionist. It seemed to weary over her widower's restless longing for a blessing in the world which it was not the world's to give. I saw a cypress near the honeysuckle clustered at her hand; the rooks croaked in the tall pines in the background of the great picture, if the eyes seemed now cast down on the linnet's flutter in the unshaven lawn. Yet now, in the dim light, they seemed free of these morbid loves, and to look clear into the face of her son. As I looked keenly at the representation of the burial-place, I thought I read on the stone above the gate the words, "Here lies the race of the house of Redford."

The gentle breeze of the summer night blew over the Castle rock, and bore upon my ear the light music of the bells of St Giles, and the deliberate stroke of the clock of the old Tron. The tread of the patrol of the "Royal Scots," the hum of human voices, the rattle of noisy traffic, had entirely ceased as my vision met from the Mound the pale tints of the northern



sky, giving promise of the morrow, while I was yet disturbed by the last scene of the night.

The delighted sire, eager that his son should exhibit some pleasing substitute for the lover's frenzy, which Sandy had not, set about inducing a gay and sportive aspect in the unaccustomed wooer. Proverbs which exhilarated modest manhood at the cost of the repute for wise indifference of young-ladyhood were frequently in his mouth. Care had also killed the cat ; and Sandy was further urged to think not too precisely on the event, lest at the critical hour he should be wanting in vigour of action. Thus, during the days which followed my first visit, there was, I fancied, something of a skip and trip in his walk, and other antic movements, in the house. Sometimes to his own music, to please his father, Sandy would go through the travesty of a minuet, and walk the advance-and-retire movement of a quadrille. The gods of mirth and comicality

were invoked of a night, and all seemed progressing favourably, judging from the good-humour of the wooer and his ally.

The father of his mistress, my Lord Baggerton, was a lively peer, and “L. B.”—Lydia Baggerton—was said to be full as witty as the wayward niece of Mrs Malaprop ; so that Sandy must brush up, and assume something of the virtues of a gay Absolute, if he had them not. The graces of the lovers of his decade were light and airy, and he had needs rather amuse with pleasantry than awake with sentiment or strike with learning. I confess that I judged by the sight of this rather “antic disposition” that my friend’s mind misgave—that it had no settled resolution, and might only drift. “Well done, old mole !” is not a cry which will be mixed up in the oaths of an avenging son ; nor is a caper or two of a slow movement of the dance any indication of a link of strength in forging the chains of an intent lover.

It was arranged that I should accompany Red-

ford to my Lord Baggerton's, as a voucher of his means, and to arrange terms of a Settlement. We set out one fine afternoon, my client dressed in a coat more of sky-blue colour, pepper-and-salt trousers, and a largish lavender tie, which a tailor of his locality had proclaimed to be the fashion of the occasion. The father had surreptitiously substituted in the pocket of the suitor a fine cambric handkerchief for the bandana, and a rosebud about bursting into the vigour of full-blown life was placed in the lapel of the sky-blue garment. The father stepped with us to the coach-hirer. With a warm embrace of both of us, wishing God-speed, he saw us issue forth in the carriage, drawn by a pair of prancing greys. We saw the "Censor" waving in the mellowing light of the autumn afternoon as we turned our heads and looked back as we neared the Park gate. The eyes of my companion moistened for a moment when the figure of the old man was lost in the distance.

We neared Baggerton in the course of a two

hours' ride, but the gay humour of my friend and client did not keep pace with our drive. He was soon too occupied to enjoy the view of the rich expanse of country before us, or to listen to the sounds of evening in the lovely plain. The wild flowers bloomed in the shaven fields, the wheat-ears rustled in the winning air. Would his delicate fancy not envy their freedom ?

With something of a perplexed, inquiring manner, Sandy looked at me, after a very tall, somewhat raw-boned lady, of mature years, decked in capacious silks, with large jewel ear-pendants, had been with us ten minutes, and bounced out of the room in search of my Lord, her papa.

I turned my head from him. This was the sprightly young Lydia—this was she who was proposed to transmit the unsullied lineal blood of the Masters of Princes to posterity ! I felt warm and offended, and considered I had been made a fool of.

“Has she not charms!” observed my client a trifle apologetically.

I did not speak. I looked down at those tender feet, and saw what I might expect in associating myself with their owner.

“Tall and handsome and”——

The famous Chateau Margaux of my Lord must have coloured his vision at his previous visits.

“And she has a fine discourse. You didn’t hear her,” he continued, getting bolder. “Ladies are often very trifling. The descent and development of man are subjects of which I am greatly ignorant. Yet she is mistress of them.”

He pled with me. I was deaf to the tale of her recondite mind concerning the development of man.

“I care not,” I cried, “for the lady’s mind: be she acquainted with the latest scientific theory—evolved from the moral consciousness of Germany, I dare say—of man’s develop-

ment from a calcareous sponge—be she in love with the monkey or mollusc view ”——

“Sir,” said he, interrupting me, “she is removed from any morbid scrutiny, and enjoys these subjects as interesting speculations. *Ne quid nimis* is her motto.”

“Sir,” I continued, in a more peremptory manner, “the ‘recency’ of man is an interesting topic enough. But it is the recency of a lady we are now concerned with ; and, in the name of Minerva, though age is venerable, some portion of youth is desirable in a first wife.”

“So it is—so it is,” cried Sandy, his face on fire, and he, vastly disturbed, rising from his seat.

“The lady must have been a quarter of a century old at the time of the first Reform Act,” I said.

I had doubted his powers with a coy maid of twenty ; he had been at his ease with one nearer treble than double that still sweet age ;

and I was determined to save him. All the troubles of matrimony in the peerage for nothing was a reward of modesty I could not brook.

I felt somehow as if I had been employed to watch the case in the interests of the family-tree, and was wroth with the topmost branch.

We were at this moment of quarrel interrupted by the entrance of Lord Baggerton himself, accompanied by his child. My Lord was a very old man, and wore the gravity which became his years and rank; but I fancied I instantly detected the merry devil in his bright blue eye. From his reception of us, I was at first of the belief that the wag was pleased to be rid of the aged bore of the family, who probably dinned daily into their ears the story of mammoth caves, dread of earthquakes and burning comets, instead of making sweet cakes, bouquets, and pretty sonnets, for the refection and diversion of the passing hours.

“I am glad to see you, Redford — both,

gentlemen," my Lord repeated. "Lesbia is disengaged—yes!"

I thought 'twas Lydia, but must have mistaken the name.

"Lesbia, you and Redford get on well together—yes!"

Miss Baggerton clasped her hands gently; looked as if she would have liked to be rapturous, but could not.

I looked at my client. His face was now utterly fallen. He blew away loudly in the cambric, stroked his chin, and tried to wear a pleased look before my Lord. He would not meet my warning half-menacing eyes.

"Well, well! leave us, good girl."

Girl! I detected the wag in the corner of the speaker's lips. And the girl of more than thirty years' maturity tripped out.

"Yes," observed the peer, as the door shut upon his child, whom I was to accept as the Princess Badoura,—“yes, Redford, I must be assured Lesbia will be maintained during life



with the dignity due to her rank and connections. Sir William Parks, who married my second daughter, makes a great show in Belgrave, and keeps up the credit of the family before the world. Honest Owen Jones of Llandudanudo indulges his fancy for home virtues—the moral grandeur of the race is preserved there—in the finest mansion in Wales. Lord Macdougall of the Lakes, who married Tetty—pretty Tetty—whom we have named the Rover, keeps his property stationary, as you know, by not living near it. He is the greatest screw in the land, and honours us by the connection. We have been rather too lavish, and have lost a little, Redford ; for the stability of families demands some cupidity in the blood.”

Sandy seemed to intimate by a look that he would take up the moral grandeur *rôle* in the family historical drama. But he could not say so. The shrewd and waggish peer bore down his gentle nature. My Lord rather liked him, yet was not disposed to close with

him rapturously for a son-in-law, though he was not disinclined to be rid of his daughter. Sandy informed Lord Baggerton that his Lordship's daughter would have the entire use of five thousand a year; his own habits never leading him to spend more than fifty pounds per annum on himself.

"Yes," observed his Lordship. "Then there is this matter of blood." "He meant birth and connections—for he was"—well, damns had not had their day with this eccentric nobleman—"if he remembered who Redford's father was."

Secret of serene and satisfied obscurity! armour of defence of sensitive soul and body against the attack of the censorious world! Pride of ancestry! it was thine as thy fathers.

I turned to my client as my Lord had concluded. Redford was standing—now walking towards the door. The retreating eye had become large, bold, and even fierce; the limbs were lithe and straight; the feet were those of

a cavalier, springy in step, firm of form and hold. The metamorphosis was wonderful. The blood of the old Earls asserted itself in these modest veins. I was delighted with that bright air of defiance. His Lordship was dumfounded, and dared not smile.

We were in the passage—Redford and I together; pale, scraggy spinsterhood, now all smiles, now in alarm, coming doubtfully along the balcony, facing us as we descended the stair.

A cry, a wail, a sigh, a tear might have won him back; for his soft, simple heart had been taken even by the seeming proffered love of one of fifty winters. But none were seen or heard—Lesbia was all hesitation.

I spied the face of a laughing yet tearful elf of half her sister's age looking out of a door as we descended. It was Lydia.

I said nothing to him now, nor at any time, of my discovery. It would have been cruel to hint at it.

“To-morrow,” said my companion, breaking

the silence as we saw the last rays of the day fading over the northern hills and a star glimmering in the west,—“to-morrow the geraniums in my father’s window will not be watered; he’ll neglect to wind up the old clock.”

We came out of the carriage in the Park, and walked to St James Street in the fine twilight. The old man was awake, and heard us arrive thus early, without having caught the sound of our rattling equipage. The cudgel was lying at his hand as he sat in his big arm-chair, and he grasped and played with it, without speaking, as we entered, prepared to vindicate his cause with rude symbol at least.

“Sandy’s back’ard.”

An earthenware jug in the way was smashed by the bringing down upon it of the “Exterminator.”

“The powder isn’t dry—that’s why God Almighty’s arm hasn’t put the humble high-

Damped—damped by a tender miss!” The sire rubbed off the perspiration standing in great drops on his brow.

“I’m going home,” cried the old claimant, sinking into his chair. “I am done—I have performed my labours—my wife is waiting for me—there—there in the old ground.” Here he rose suddenly, evidently with the intention of going out, but he stood stock-still, his eye staring in his head, his wrinkled face pale as death.

Sandy looked with a quiet loving expression upon the perturbed countenance of the one upon earth in whom was centred the long gathered warmth of his pure, unseared heart. The old man sank down.

“Alexander Redford.” He held out his wan hand, which was grasped, and then looked up through his tears.

“Good Lord!” cried the claimant, all alive again, after he had learned the son’s censure of the peer’s jibe, and looking up suddenly

after he had opened a volume at his hand. "This fellow is a creation of last century!"

The Baggerton peerage was indeed created after the battle of Culloden.

Then we had to take a turn or two about the palace to see the spot where the "red Earl" clave the skull of the traitor to "the band," Sir William Baggerton. I heard afterwards that the older claimant, more accustomed to give his feelings voice, resented in a pithy letter the insolence of the recognised peer. The upstart of a century's standing was baited and gored by the descendant of the Masters of the Scottish kings, who hinted that it would be desirable to meet in the Queen's Park the following Saturday, for that he had a rod in pickle, which would be seasoned by that day. One thing was certain, that on the Saturday Sandy was no longer factor for my Lord Baggerton.

One day when the decaying leaves of the

elms were falling through the slow-dripping rain, and the chill air awakened in the most self-sustaining bosom some belief in the virtue of social joys, I met the younger Redford stepping pretty well out on a visit to a Miss Mary Durward, daughter of the late Captain Durward of Her Majesty's army, latterly in reduced circumstances. There were to be no revived succession-suits until my client had married ; his marriage was a *sine qua non* in their revival, and I was interested to see that my client got a good wife.

Miss Durward stayed in the lodging of a relative at Hillside, and had introduced herself as a Leysider to the notice of Mr Alexander Redford one fine summer night of the year following his expedition to Baggerton. The simple gentleman was pleased with Miss Mary's good nature, affability, and rosy face, and handsome, buxom figure, but his apparent design of marrying the lively lass was immediately due, I doubted not, to the fact of her

descent from the famous Durward of that Ilk, who had acquired great distinction at Killiecrankie under the famous Claverhouse, and had a son only less renowned in the service of the great Mar. The famous Quentin, of whom most of us have often read, came from the braes of Angus ; and although the great ones conspicuous in the shire seem no longer to bear among them that honoured name, doubtless it is not for want of worth or genius ; and Mary, who had been compelled to try her hand now and again at mantua-making, was as brave and romantic as any of her forefathers, though she was quite unknown to persons at whom I inquired concerning her. Indeed, I feared she was just too brave for the gentle humourist, my client ; and as I saw him enter Prospect Villa, where Widow Durward supplied a few ladies and gentlemen with bed and board at the lowest charges compatible with excellence, I had my doubts of this projected union.

“Blood,” you see ; his father “must have



blood.” And Sandy had been dismissed by “blood” at its proper level ; and blood leaping in lower localities sought him out apparently as a force by whose aid it might rise to its due place. The good man was too true to himself to take to mean connections to spite the world, whose neglect and unkindness he had never actively resented, as he had never made any demands upon it. He thought he would gratify his own heart with a generous act, now that he had tried to do what his father wanted him to do and failed with a stab in the side of his modest self-love.

Association with depressed claimants was not to the liking of Robert Redford, and marriage with one was not to be endured. He scoffed at mantua-makers. Yet the traditions of the Durward family, and the story of a splendid and unbroken patriotism and loyalty for the sovereigns whom his own ancestors had been accustomed strangely to influence—main-

tained between Killiecrankie and Culloden—were gaining with him.

“Blood ! blood !” cried he one night, “ what blood is there in hooks and eyes ?” the irascible descendant of earls breaking at the same time a greybeard with a not quite inadvertent movement of the oaken “ Censor.”

Sandy gently took up the broken fragments of the familiar jar, and placed them again on the table. His eyes were kindled, not with rage ; in his heart was struck a cord of fine tender manliness, which rude opposition was only required to raise. I watched him, and carry the kindly humour of the scene with me for ever.

“ I—I,” said he, slowly and firmly, seizing his father’s ear, but not looking on him then, —“ I imagine these little wares all that are left of the swords of the brave old cavaliers ruined with chivalry ; while the bulky appendages of modern creations may be due, with

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their patents, to the sleek prudence of the courtier."

The Earl-claimant rose without speaking a word, and wrung his son's hand.

"Sandy's back'ard. Brave notions! they dinna win, though." Then he left us together.

I had ventured, when alone with him for a few minutes that evening, to remind him of the age of the Durward family. This was no descendant of a people emerging into the light of history a century ago, but one with the actuality of ancestry beyond the boasts of heraldry; and I was inclined on this account to resent the inconsistency of the father's unfriendliness to his son's proposed union, much as I deprecated its suddenness.

I was glad, therefore, when Robert Redford returned to us in a quarter of an hour in his nightcap and gown, having relented entirely just as he was stepping into bed.

"Hoighty-toighty! weel, weel!" were his words as he drew in a chair, and struck his

punch-bowl with a spoon, by which he indicated his returned good humour and his desire to drink a glass with us.

Sandy might not look too closely before he leapt to satisfy his sire's long avaricious appetite for posterity ; and his unsuspecting mind could never fancy beneath a bright face uncontrolled passions and imperfectly developed character. He was fashioning himself, meanwhile, for his nice conduct in the part of Benedict ; again proposing to his unaccustomed fancy to dally with blushes, to sue for kisses, and the abnegation of pouts ; to wink at cajolery and stolen boons ; to prepare the arms of his mind to woo for peace, having it now without so much as the use of a toothpick in the cause ; to abandon himself greatly to bonbons and small-beer ;—he who indeed was never great and ponderous, but had tastes and humours he was taught the ladies cared to know nothing of, and when they did know them, disliked them.

We had our talk on the obligations laid

upon a man in the choice of a wife, without special reference to the case of my client; in the course of which I managed to let him know my decided opinion that some knowledge of the personal history of the lady was necessary, without that prying curiosity which, resembling the effect of the microscope in the physical world, would make all characters repulsive; nor would I limit the points of merit generally to beauty, health, wealth, or amiability, but the excellence of one feature would condone for faultiness in another. I had, I thought, observed in the other sex a broader judgment in these matters than in men, who are too busy to reflect upon one of their greatest concerns, and are moved either by love or wealth. It is one of the benefits of extended culture to elevate and vary motives in so important an act as the choice of a mate; and in the estimate of the ladies of the future generations, to whom it is proposed to delegate, for the progress of the world, the

choice of the head of the family, I doubted not that the head would have a place quite as much as its hair or the complexion of the face. Why take a lady upon trust? for does not she, already wise in her generation, see that her husband has got brains and hands strong enough to guard her, feed her, and clothe her; whistling the poor handsome idler down the wind with his wealth of flashy wit and spirit of self-preservation.

“Ay,” cried the sire, “ay, indeed. We should see how many children the dam has borne; the ages of her grandparents; their width round the chest; and whether the family be choleric or plethoric; with the father’s weight at fifty and his power of carrying; what training has the young lady had in morals, in the education of the schools, in the schools of life. I was myself taken, I know not how; but I vow to Heaven I deserved destruction while I had an angel.”

Thus in good humour we discussed the

theories of contract in marriage, and each of us evinced a steady and powerful sense of what was right and proper to be done. But it often happens that the wisest principles set up in a night's resolve become dispelled with sleep, and next morning, in the hour of action, we bear with us the fitting moral accoutrements scarcely more effectively than do the ready instinctive hand-to-mouth children of impulse. Mary Durward had got a husband who would best suit her situation; Alexander Redford only a wife.

It was morning ere we three separated, and before the day was gone, the daughter of the Durwards, with her bright, warm greeting, meeting the easy gentleman, was asked to name their marriage-day. Sandy walked the length of Holyrood with me in the keen frosty air, more solemnly than was his wont, and unbosomed himself beneath the bright beams of a great soothing moon.

"I am devoid of ambition," he said; "I

disliked the eternal strife from my boyish days. The feverish wrangle of youths for pre-eminence over their companions sickened me, and I early withdrew from it. I cannot struggle for a 'great match,' even to please my father. It is enough if I marry a fine girl of birth, to brighten his fading eye and bring back an old and better humour. Do not say I can be mistaken in Mary; I am buoyant and hopeful, beyond all expectation, of her free, open, and frank nature. I'm unworthy of such excellence, my friend. We should never get, I think, what we have not anxiously laboured for, and the sweetness of the world's greatest flower comes to me even unsought, as fortune itself. Our fates are cut out for us. God grant I may always use His precious gifts worthily. Good-night!"

I heard in the still night, as he turned to the Abbey, a strain of the evening-hymn that had startled me amid the ruins of the old pile at Leyside. More than an hour afterwards,



the old man, his father, watching in his wakefulness, heard his son rise from his knees, where his head had been bent in prayer for strength, over that volume which he, as needier mortals, had found a protector in danger and a consoler in hours of doubt and sorrow.

It seemed to me, after their marriage, that Sandy, in his own way, might naturally, like Shandy, come to have a consuming vexation that his wife did not ask a question concerning what she did not understand. Mrs Redford, *née* Durward, was possessed of high animal spirits ; but if she heard that her husband's father was seized with his final syncope, she would not inquire what that was. 'Tis true that this temperament saved the solitary man from the necessity of learning daily as to the occupations of Mrs Pointlace and her daughters next door which had by other neighbours to be copied at great cost. But it may be conjectured that Mary cared nothing for

the mental occupations of her husband. Mary Durward's mind was one of those "clean sheets" which some sanguine and experimental males desire to find, that they may write their stronger character upon the blank paper, but which generally remain blank notwithstanding all the pressure of pen and ink brought to bear on it. The easy Redford had desired to write nothing, but to find goodness and kindness, and he found these after the fashion of Mrs Redford's untutored mind. Her husband looked with a strange, sad surprise upon the daughter of old lineage thanking Heaven rather for the liver and bacon which he produced in goodly supplies to her taste, in preference to acknowledging the benefit of the whole story of her race. A ride on horseback she liked, and she intended very soon to purchase a fine animal; but when her husband read to her the account of the splendid retreat of Major Durward with twenty horsemen before the regiment of King George, she yawned and

scarcely heard ; so that the romantic gentleman and antiquarian had to cease speaking to her of her ancestors, to whom she said she owed no thanks. “If they had given her blood,” the frank girl said, “she wished it had been calmer ; but as it was, she must make the best of it. So ho ! for happiness with thee, Alick,”—who supplied her wants bountifully. Mrs Redford indeed loved pleasure, for the indulgence of which some current coin is absolutely essential ; otherwise I doubt not she would have preferred to unite herself, if she united at all, to one of those gay sparks who were pretty frequently, and too soon, to be seen at the fine villa of the retiring Agent. It was clear now that two elements had met which were antagonistic to each other, though each might run aside and avoid quarrel.

Spring had come round when I received one morning a letter from old Redford, who had been staying at the summer villa at Leyside which the son had bought some years before.

He had, also unknown to me, written at the same time to his son. We were required on the instant to set out for Leyside. Sandy and I met at the Ferry, and it was arranged that I should see the old man first. "It is about my wife," said he; "I love her."

Robert Redford raved like a deceived Lear and goaded Othello over the perfidy of woman—Mary Durward, his son's wife—she, great in ancestry, who was chosen to assist in transmitting to the ages the great race of Redford. The old man was upon the brink of madness. Morbid suspicions even of his dear son excited his mind and lighted up his faded eye with a devilish meaning, as if he was now probing the secret of his son's marriage, and finding in it the revenge of his own obstinacy. His passion was alive with dismal and deadly fires, and I might even fear for his own reason and his son's life. In a quarter of an hour, Sandy, who was below, was heard by us—as the storm had lulled in the physical weakness

of the raving man—with his soft tread and calm measured step to ascend the stair. Across the bed lay the “Censor;” at the foot still hung a large photograph, in a glass frame, of the bride who was the cause of this storm. Sandy entered, and had no sooner done so, than the old man, with his cudgel, shivered the image of the wife. He then grasped with trembling hands an old clasp-Bible which was opened at Proverbs. Sandy stood still and waited with patience.

“‘My moisture is turned into the drought of summer,’” said the sire, not offering his wan hand or looking up with a spark of his old delight in the face of the son.

“I am sorry you are so dry with me,” said Sandy, not referring, as he never did, to the destruction of his wife’s portrait.

“Go and do thou likewise to the original,” cried the angry father.

“I am here,” said Sandy; “I am waiting, Robert Redford. Am I to be cut down?”

There was a convulsive shake of the bed-curtain. I turned away, for the old man's lean arms were round his son's neck, and I heard only the familiar words, "Sandy's backward." The old lion was subdued. He felt that his child had always done what was right and proper, sacrificing his own tastes of happiness to increase the fulness of the father's cup of joy, or what might even seem to the father as such. Sandy was backward only in withstanding his father's unreasonable prejudices and vain designs.

We three, in three hours' time, went together arm-in-arm in that picturesque region. I knew that there, between the fresh woods, in the spring day, the claimant would be better restored to himself. The sighs of the light larch and the gloomy pine in the gentle and fitful air corresponded with the subdued emotions of my companions. In the sweet scene they could not but rally a little; the misery which seemed to threaten them in the

dull sick-room flying before the pleasant sense of this tranquil and lovely mood of nature, engendering a fancy of its likeness over all the world. Each giant tree and tiny flower ; the heron flapping heavily along the water-course ; the ousel dipping from the pebble in the stream ; a cottage decayed, and with honeysuckle and ivy protecting and blessing it still ; a steading nestling in a tall planting ; a hillside rich with green shades, recalled old delights and story. We sauntered long, till the thin grey clouds of the season blurred the heavens. In the house, the old campaigner, who would have sung his song at noon, so revived was he, worn out with passion and the air, fell into a deep sleep, the son watching over him as I had seen him do at St James Street, but not with the untroubled mind he knew that night, bearing now all the misery of an accusation which asked him to avenge a deceived manhood. The melancholy, to his simple heart, of frus-

trated sacrifice might be nought, but a scandalised life was bitterness. He kept watch till the familiar and delighting river flowing beneath the window was lighted up in the moon's beams. He looked down on it there, as it flowed on in its broad, dark, and deep volume till it joined the pale stripe which represented the unfathomed ocean. The sire awoke.

"You won't see her again, Sandy. We will stay in the land of our fathers evermore."

It fell to me to seek out "Bombay Dill," a Leysider who had ploughed the main oftentimes to East India, and was in consequence distinguished by the title of "Bombay" from the many Dills of Leyside. It was matter of notoriety, there, that Miss Durward had "run off" with the bold sailor a fortnight before her marriage with my client.

The evening of next day had come, when my client and I found ourselves in the avenue leading to his villa in the Southern Road. The last intermittent and low whistle of the



thrush among the trees broke on our ears sweetly, accompanied by a ruder noise coming through the open window of his drawing-room. Yet no cloud was visible on his brow, no angry word escaped him, as we stood a moment in the well-lighted hall.

Under my guidance now, he walked into the withdrawing-room partitioned off from the room—where some guests of “the lady of the house” seemed to be assembled. His erect bearing and the firmness of his step reminded me of the incensed heir of the Redfords at Baggerton. There were chinks in the wood, and the voices of the noisy speakers were audible. I heard the name of “Dill,” and between the open wood could, I thought, even see that happy young sailor.

“I should know the sound of a kiss now,” said my client wildly, “for I have bought my perfect knowledge dear.”

Bombay Dill was hanging over the neck of his wife.

My companion energetically drew aside the folding-doors which separated us from the company, and advanced to Dill. You may be sure all were startled, and that Mary Redford, *née* Durward, was not without surprise and dread, having expected her husband to be away for a week with his ailing father.

“Bombay Dill, I suppose?” said Sandy, confronting the pirate, whose home should have always been upon the waters.

“’Spose I ams?” answered Bombay, accustomed to surprises of the great ocean, and not impressionable to the rage of a tender-voiced gentleman; making himself funny by seizing a hat and putting it on the back of his head, and conceiving something of a Yankee humour which would rob of all its gravity the discovery of loving a neighbour’s wife, by a droll attitude and bad grammar. “’Spose I ams?” He did not know Mary Durward’s husband, and did not care to know him if this was him now.

“Leave this house, Bombay Dill ; and don’t let me see you or hear of you again.”

“I just step in now and again to please her. Sure she’d be dull without me now,” said Dill.

He was placing his thumbs in the armpits of his waistcoat, letting the tails of his coat droop on the floor, like the conventional Irishman, and winking playfully, having had a good quantity of wine that day, when Mrs Redford fell at her husband’s feet ; fear, remorse, shame—I know not what—choking and blinding her, as she waved with palsied hands the captain and her company to be gone. And her husband at the same instant aimed a stroke at the head of the rascal, who stood chattering.

“You lie, you villain !” he cried ; but the clenched hand only struck the hat, which rolled off, Sandy tripping himself and falling with his head on the edge of the fender. He rose immediately smiling, and seizing his wife’s hand, drew her up, while the mariner slunk near the door.

“O God, forgive me! husband, forgive me!” she cried.

“You see, ladies and gentlemen,” said the gentleman, the husband,—“you see a wife cannot have two husbands. I daresay some day there may be a Sweet Lake where the ladies will have it all their own way. It isn’t that yet; and it isn’t manly to be kissing other men’s wives in the husbands’ absence. So good-night, and when you come again, don’t come with Bombay Dill.”

The kindly, simple tone of the speaker moved every one there to respect and love him, including Mary Durward, who was, I daresay, from that moment capable of being a faithful and attached wife; but we must keep in view that there are inexorable laws to be applied in such trifles as even sham flights of “larky” maidens with dangerous men of the sea, especially by those who require the maids in the cause of their nobility.

“And now, Mary,” said Sandy: here he

stopped short, paled and staggered, leaning upon my arm for support.

Whether it was that the familiar knob of the censor in advance of its owner looked through the half-open door and chid him for the simplicity he meditated of sheltering his wife ; whether his heart was bleeding with a great sorrow at the blow he had received to an attachment, readily begotten with him even with an imperfect character ; whether internal injuries caused by his fall had just then announced a fatal turn ; I did not then know : He fell.

In a minute the anxious father—who, doubtful of his son's sternness of putting away the "wicked woman," had followed us unknown to us—was at his prostrate son's side. The cudgel rattled and fell heavily as the old man in his hurry and great weakness lay down at length on the floor. The noise stirred Sandy to some consciousness, and a smile gained for

a moment upon the fallen death-like face.  
“Robert Redford—father—old man.”

Then he wandered back in fancy to the other day when all was well to his easy heart, and he spoke of the familiar figure of the old man on his way to grasp his hand on the first visit to the married pair.

“See him, Mary, see, ‘the censor’—forward there—through the trees.”

As he lay in his bed, and morning was about breaking, and the enlivening air and the song of birds, awaking in the sycamores, came through the open window, he looked up from his pillow, and son and father were conscious of each other's presence. It was a grave but loving and understanding smile; a woman, a wife, had stolen in and lay so that her husband might see her. And he saw her as he looked up, and she buried her face in her hands. As he fell back, struggling with his dream, he tried to point his hand and said, low but firmly: “Take care of Mary—Killie-

crankie won't fail us—there—I knew it—look on her, with heart true as a Durward's sword—and all clear now—true bride—true wife—Mary—father!

As the lips were still, we heard the oaken staff to rattle. It fell heavily, unheeded on the floor. For, almost before it, there had sunk—as his link with life and hope had fled—the frail form of the old campaigner—the last of the Redfords.

“Sandy's for'ard.”

There was a cry.

And Robert Redford went forward too.

*THE FOUNDERS OF ADULLAM.*

EARLY on Monday morning, Deacon Michael Friars, of the financially-stricken burgh of Slapup, chalked above his warehouse door the words “ Ruined *pro tem.*,” and in company with his chief heckler, Rothiemurchus, set out for the caves in the cliffs of the sea-coast a few miles distant, in another county. That morning there had expired a charge on an extract-registered protest of a bill dishonoured by Friars ; and his flight into the territory of another Sheriff gave him, he thought, a couple of days’ further delay for maturing his plans in the freedom which he loved. They were preceded by a small supply of provisions, and the remains of a good stock of liquor, of which both had partaken liberally for some days.



The tall, slim, handsome figure of Friars seemed straighter and braver than ever as he bade adieu to Slapup. He had entertained the burghers for half-a-dozen years with humour, song, and supper; but their faces were now void of welcome to the fallen trader. Notwithstanding, the deacon was swelling at this hour with the proud resolve of restoring the broken fortunes of Slapup. "Pioneers of greatness, by gad, Rothie. We'll survey 'No Man's Land,' the quarry, the bay. By gad, it shall be the first port in Europe."

The trade of Slapup had become suddenly paralysed. The great London houses of Dukes and Dykes, and others, for whom the town manufactured, were down; assets representing generally something like a farthing in the pound.

When the storm lulled, it was found that the traders fallen, or falling, were the institutors of "the reign of happiness." They had been headed by Mr Theodore Pyper, who alone had disappeared, and that at the first menace

of the storm. Men had refused to go to church under his tuition. They, weary of the long and dull dominion of Calvinistic fathers, had met and proclaimed their devotion to the modern gods, Liberty and Reason, and practically restored an old habit of sociality, at which the rigid Puritans, still crabbed by "drinking of the beggarly elements of tradition," were wont to scoff as they straggled on Sundays to the sounds of the oppressive bells. But the new religion was perishing with its disciples. Men and women had died in it, and died not unhappily, it would seem. Human pride, based upon pretty strong intellect and ready cash, will make shift for comfort sometimes without the mortification of Scripture. But pretty fair intellects suddenly without ready cash will often stagger, remember that they are dust, and lean upon the Invisible, which has become their portion. The meanest handler of the burgh tow now had his head-shake, and his gibe at the ungodly subjects of Liberty. "Every

dog has his day," was a saying repeated more than once by Tom Tosh, who believed he was quoting Jeremiah as he went through the church portals the first time for ten years. Tom had become sick of Reason.

As Friars and Rothiemurchus passed along the streets of the early May morning, a death-like stillness pervaded them. It was not thus they appeared, or he would act in them, even at this hour, but recently when happiness was in vogue. There, now behind unweeded garden, stood the house of Matthew Miles, bachelor, who had given on Sundays, to friends and servants, readings from Shakespeare, Voltaire, Rousseau, Condorcet, and Cobbett, with banquets of porter and pies of good highland mutton. Miles remained a staunch disciple of Liberty. But dared his boon-friend and fellow-worshipper of Nature, the Beautiful and the Good, now knock him up, as of yore, to watch the rising of the sun out of the ocean, or rejoice over the heather-bell on the common? Maria

Adams, who had married, without benefit of clergy, Captain Drumcross, her handsome, brave "soldier laddie," wounded in Spain, and who divided with Friars the honours of the chief nightingales of the burgh, might be tortured or not by the reports that the captain had only been a corporal in an Irish Regiment; probably she was happy enough on that head: an inability to provide Amontillado might give the pair more grief. They were involved in the ruin by the failure of Maria's father; and might even now be pondering on—

"Breathing in distant lands a purer air."

A line of the "Bush aboon Traquair," which Friars and Maria used to sing as a duet on the "gowden knowes" of a Sunday afternoon, escaped from him as he passed by the dwelling of the pair. But he dared not open now the wooden shutters on the front windows of Maria's cottage, to let in the early sun upon

the soft smiles of the fair creature in the arms of Morpheus and the captain.

Mick was lively ; but liveliness in the prospect of paying one's creditors one penny per pound must be indulged in solitude.

"By Jupiter," said Friars to his companion, leaping, as he passed the Parliamentary boundary of the burgh, "I will no longer humour the dogs ; let them perish of jaundice and the muligrubs. Only, Rothie—the bay and harbour—'ambition and the pride' of man, just to show the — up."

All was lifeless in the suburban villages of Ramoth, Gilgal, Nob, and Padanarum ; names bestowed, with little reverence for the too familiar geography of the Old Testament, by the wags of the reign who had revolted from the dull depressing creed and slow lives of their respectable fathers. Out beyond this cluster of Hebrew-sounding places stood the showy residence of Alick Dowlas. Mick loved it not. It had been "his ruin," and only Rothiemurchus

saw some signs of stir in it. To Rothie's remark on the subject, his companion made no answer. Even now, elated as Mick was with the best "east port" acting upon high natural spirits, shades of gloom and pain were visible upon his merry face. This great spick and span mansion, had, Mick believed, alienated from him his darling Lily Neill, wooed and won by river bank and flowery mead. It was in vain that the friends of Lily urged she could never marry a man who wouldn't "go home till morning, till daylight doth appear," and had some Miltonic views about dissolutions of marriage with admiration of "L'allegro" and "Il Penseroso." Mick knew well that the mistress of his heart was once a loyal subject of the reign of happiness, in which Mammon had no adoration. She had yielded, in a fatal moment, to a false god. He knew that she could not live by stone alone; and that was all her Dowlas had to give her. In adversity, he knew she would be left to perish; and he forgave her—

would even now have welcomed a repentant sinner back. Separate from Dowlas, in a solitary lodging, she had again and again at early morn been lively, but not on account of the sunrise, not with the attribute of the fowl to which that period is a cause of excitement ; her repose was enforced before sol had reached the meridian. With grief in his heart, the steps of the humourist faltered. Face to face with his own prostration, no tear had stood in his comical eye. Seeing in his mind's eye, his once sweet and delicate Lily seeking consolation everywhere with the aid of, alas ! a sham pickle bottle, a sense of their whole sorrow and sin following their young dream overcame him. As he rose from the dykeside, the figure of Alick Dowlas, moving stealthily by the side of the long grass down to the beach, was forced upon his sight.

They followed him to the bay. It is an inviting spot, retreating in pebbles of spotless whiteness from the frowning masonry of nature, to the fresh green turf, studded with wild

flowers. From the top of the cliffs on each side, the eyes reel as they look down into the dark deep waters that sob in broken waves in the sea-bound caves, or boil and gurggle over the great masses of severed and jutting rock. Friars turned away with a curse forced upon his generous lips as he saw the decamping husband waving wildly to the shipless ocean, apparently for some boat to bear him from wife and creditors. He, Friars, only sought deliberation in the free air, while he should also be employed for the burgh welfare. Romulus, yoking bullock and heifer to the ploughshare, and marking out the pomœrium; Dido, with her thongs enclosing the territory of Carthage; were not prouder than Deacon Michael Friars planning the new Slapup.

About noon, Friars and his companion were forced to seek the shelter of the cave—Castle-Natural, as the former had already named the long high cavity in the great cliff to the west side of the bay. Dense clouds were crossing



the sky from the east; the wind rose, and rain soon fell in torrents. So lively a spirit as the Deacon, excited by the long stay in the open air, the planning of his great scheme, and sundry refreshing draughts, could not rest without intimating in glowing language to his lawyer, the Town Clerk, his design of engaging the unemployed labourers of Slapup in building a town on "No Man's Land," and docks in the bay. Same afternoon, some young limbs of the law proceeded to the ground, and put up a notice board on the solitary poplar, on which the following could be read:—"For disposal, the bay and lands of Adullam, well known respectively for their depth of water and barley crops. Persons discontented, distressed, or in debt, are invited to apply to Michael Friars, Deacon, at the Cave. He has copious samples of the distillation of the barley; for the whisky-producing quality of which the neighbourhood is famed. Application should be made early." This party proceeded to the

cave, and in draughts of "east port" toasted success to the second Adullam. As they left, the waters rolled and hissed about the great rocks in front; the wind shrieked fiercely in the fissures above, and in rapid rolls came the long wave of the German Ocean, dark as the blackening sky. Humour was about exhausted for that day. Rothiemurchus heard the last of a few stray notes of Childe Harold's adieu song sink away in the Deacon's throat, as his head fell down on a pile of empty bottles and he gave some murmurs against the worship of Plutus, Mammon, and other deities, as to which his greatest enemy must admit he had been without reproach. "Rothie, you must admit it's a devilish good set down to a fellow whose creditors are hard to swim in champagne or salt water." And the distressed lover, the insolvent and the humourist, dosed upon his pile.

Rothiemurchus was sober. He was one of those rare mortals who seem never the worse of anything, though it must be con-

fessed he had been rarely the better. He was made to stand the test of the late reign's destructive influence: pleasure never made him stagger nor his reason totter on its throne. He did not love sobriety, and he was never drunk; he loved the company of gay spirits as they appeared in succession upon the surface, and forsook them, necessarily, when they sank below. He looked now on the face of his light-hearted companion, now troubled in dreams, as nature gave way in repose to those dark misgivings which the bright day, and continually-fed humours, could set in the background. Rothie laughed, as he held the "dip" over the sleeper, until he started with a sudden fright as a sense of his ghastly humour struck him. He would be blamed for leading Friars into the folly; but, as with Sterne's monk, Nature had done with her resentments in Rothiemurchus. "Be

d——d,” cried he—taking a bottle from his mouth, while the tears came from his eyes, as he still gazed upon the face of the youth who had already made the cave the scene of revel, and intended it to be the resting-place of some pained nights—“never weeped before.” It was a weak moment, never repeated in that form. The degeneration of his employer’s energies into humour, laughter, song, love, and wine, and other provocatives of sinking, if to music “sadly sweet,” might not induce the tears of Rothiemurchus, for sights of such sinking were common. But Friars, he thought, was a genius without chances, a brilliant and generous soul lost in the mires of Slapup; and he found—he had drunk bottled sea-water carefully corked in a wine-bottle, and put aside by the wags who had just left. With a curse upon the squad of young scribes, he lay down; conscious at the same moment that the waters lashed the beach nearer him than he supposed

possible, and that several persons were standing in the mouth of the cave.

The commanding voice of Drumcross was heard above the noise of wind and waters. He was marshalling a party for cautious advance up the cave. His wife sniggered and whimpered behind him, clutching his left arm, while in the other he held before him a recruiting cane. Behind were Matthew Miles, several weavers of picker, packer, warper, and other order, and three women. Rothiemurchus had lighted his lantern, and gone down the cave; and both parties had time to catch a glimpse of each other before a violent gust swept lantern and tinder out of his hands, in the midst of which Friars was wakened from his sleep. Miles embraced his quondam crony. They had not met for two weeks. What was the Deacon doing there? "By gad, he was resting after surveying sea and land for the good of mankind, and specially a doosed thankless lot

known as Slapuppers. Produce the nectar, Rothie."

They were out of ambrosia—the Deacon intimated—at the moment only ; for cormorant and petrel would be obtained by Rothiemurchus in a "jiffy." The storm was sending in provent. Did they not hear the birds pleading to be taken in and done for ? The waters were not unkind ; the air was not ungrateful. "Rothie," concluded the child of sportive humour, "is Israel in the wilderness, and calls for flesh. I'm Elijah in the cave of Horeb, and call for cakes and water only, for I am planning the regeneration of a people."

None of them, however, were so tempted with the prospect of the provent referred to as to admit hunger. They wished that Friars would deal rather with the ocean than the birds which made it their home. In taking a near cut by the beach to Bellmont, the spring-tide, driven by the wind, had com-

pelled them to take refuge in the cave. The good barque "Arethusa" sailed from Bellmont next day for the Far West ; and Miles, the soldier, the distressed operatives and their wives, were bound for America and golden joys.

"Alick Dowlas' love's for Germanie. He despises the Per-ai-ree, after all," said Friars, in imitation of Gambooge the leading tragedian of the now neglected Temple of Melpomene, some months located in Slapup. He threw himself down at his long length and affected particular ease, while he was again writhing with pain.

"The Riga schooner 'Robber of the Rhine' took him out to sea at noontide. I spied Alick drunk as a Hottentot," continued the late rival of this despised African.

There was a convulsive sob ; and then a stillness, broken by Maria using her handkerchief.

That Dowlas had misled and now deserted his wife, each one of the party knew.

Friars had been thrusting the rays of the lantern into the crouching lot of weavers, and they fell on the hindmost one of the women behind. The lantern was nervously withdrawn, almost falling in his haste. Could the light have shone upon his own countenance, his companions would have seen that its expression had undergone a change—it was intensely solemn—yet scarcely more anxious than for a few minutes were the faces of each of the others of the odd assembly. Their hearts were quick to the conception of strong, strange emotion in two cast-aways, not long rudely parted, now mysteriously thrown together.

It was a face still expressive of womanly grace and tenderness, with a touch of what may have been once haughtiness faded into chagrin and struggle, the sight of which had paralysed the hand and light mocking humour of Matthew Friars. Her hair, put up in fashionable coils, had loosened as Lily



trudged in the rain, and fell upon her thin livid cheeks and over her soiled silk dress.

“Ladies and gentlemen,” said Friars, with a struggle for perhaps the first time in his life to be sportive, “my companions in temporary exile, be at home and even happy.”

“Sweet are the uses of adversity,” said Miles.

The philosophic Miles in disagreeable situations was always ready to reflect them away. He was a cripple who suffered from the fact, a frequent gout, and an occasional severe jaundice. Yet the presence of these evils troubled him far less than do imaginary pains most men. A belief that he was attending to his gastric juices and had perfect liberty, would excite his spirits into the belief that he was supremely happy. A titter, scarcely suppressed, was heard as he now brought forward the foundations of his simple philosophy of life—juices and liberty.

“What said the renowned Miguel de Cer-

vantes Saavedra," continued he, by way of variation to his song, "'Sorrow was made not for beasts, but for men, but if we give much way to it, we become beasts.' The heart should glow over the misfortunes of others, not mourn over our own. If there were any there," continued this humourist, "who knew nobody who had misfortunes to get warm about, then art had provided the means of vicarious suffering of the gentlest and most elevating kind. Let them apply to Apollo. Music, poetry, and eloquence would charm away darkness and the night in its earlier hours; and by early morn, when the temporary disturbance of the elements would have passed away, they would be rejoicing in Bellmont—all of them, including the sweet singer of Slapup."

The philosopher, who was the most practical of mortals in contemplation, had always mixed up in his recreations schemes of practical good; and he had already, in his

thoughts of a little colony in the Far West,—to which in his educated state of mind he did not intend, crippled, gouty, and jaundiced as he was, making a contribution himself in the second generation,—a design of uniting the sweet singer and the handsome grass widow. His contribution to the charms of the night by recitations about the quality of mercy not being strained, but falling like the gentle rain from heaven, and a bank whereon the wild thyme grew, were preparatory to his bringing about boldly a reconciliation between the Deacon and Lily. “‘The Flowers of the Forest’ from the Deacon,” cried Miles; “the flowers have gone with us. And we’ll have a double for our single Lily.” A breakdown and nigger melody might have been in keeping with the weavers’ general notion of the intellectual pitch desirable in amusements in caves at late hours. Such was their excitement now at the strange juncture in the lives of the pair of old lovers, that

the words and tune of the Old Hundred—to them grandest and most solemn of understood poetry and music—rose to the lips of half of the party. Friars sang ; yet as the waves broke upon the beach with a louder noise, which at the head of the cave resembled distant thunder, and the winds and sea birds shrieked past its mouth more wildly, the women's cheeks grew paler, and they huddled closer together. There was the shake of frail, feeling human hearts, tears and sobs prevailing, as Friars, scarcely heard, seemed to breathe into the ears of each one there the familiar words :—

“ Sweet was her blessing,  
Kind was her caressing ;  
But now they are fled,  
They are fled far away.”

He intended no upbraiding ; rather was it his hope to soothe and lay to rest the terrible trouble of Lily's situation. But he was smitten with fear as he finished. He rose trembling, the light in his hand. She was gone.

At the mouth of the cave, to which he leapt, the scene might have awed him, wild and impressive as it was. He only saw it. The waters broke upon the expanse of precipitous cliff in gigantic masses, with a force which seemed to challenge their adamant strength ; yet a frail woman had braved the storm. He glanced from sea to sky. As a drowning man himself, in a moment the loose fabric of his own life seemed rent and in shreds before him. He felt this as the dense clouds drifted over the stars and poured their floods upon the mocking ocean ; as the waves, lashed by the winds, caused almost to reel in the shock the great rocks before him, lying without a vestige of life upon their storm-beaten brows. As the waters rolled and broke down into the deep bottomless-like gulfs, or hissed inwards through the gullies and broke out far into the land, there seemed no end to the fury of the assailing sea.

In two minutes Friars saw, high upon a

ledge, almost overhead, the object of his search drenched with spray. Any further progress on her part was barred. She was kneeling; her head looking down into the seething water. With difficulty and danger, he was at her side. She was in the power of her deserted lover; he also in hers; one false move on the part of either, and both were at peace with life.

On Michael's part her flight would be treated as the erratic run of the coy girl of old, when in her father's stack-yard at Heatherbracks, amid the banterers of an evening, she would, at nuptial allusion, fly over the stubble followed by honest Mick.

"Never mind the blaw of Socrates of Slapup, Lily: there's mickle more wind to make us fear this night."

"I'll not go to America, Michael. I will die here."

"Die? go! I am not going—unless"—he paused, "unless you wish me."

"I will sin no more," was her answer.

He did not think it necessary to say he forgave her. She knew too well the soft heart, the magnanimous temper of the man.

"Now, that's what I like to see," was the remark of Miles, as Lily, leaning upon the arm of Friars, while the women were getting dry clothes for her, was led into the cave.

"No more tragedy," said the philosopher. "Life should be comedy. Let us sleep now. We'll have soon to join in a dance to Aurora. Mick, you're landlord; give the ladies the beds; and come rest with the disciple of Zeno."

There was silence among the group, but upon their labour-stained countenances it was plainly seen that they felt there was an inconclusiveness in the speech of Miles. Troddles, one of Friars' weavers, a pale, meek, dull-like man, whose constitution might have disagreed with the society of the cold Calvinists, cast furtive glances at Miles, and fumbled with a

small black tattered-like volume. Miles noticed the unwonted restlessness of his follower.

“This is the cave of freedom ; out with it, Troddles. ‘I’m not ashamed to own my God.’”

The mild eye of Troddles glistened and looked now to Friars. There was infinite awe, tenderness, and thankfulness in it.

Troddles read : “‘He inclined unto me, and heard my cry. He brought me also out of an horrible pit, out of the miry clay, and set my feet upon a rock. And He hath put a new song in my mouth, even praise unto our God.’”

“Troddles, my man, you are a joy for ever.” Friars embraced him. The others of the group could almost see the salt tears streaming down the face of the younger man and falling upon the withered cheek of the pinched weaver, become “a thing of beauty,” as the usually dull eye of Troddles was lighted up with love.

Lily’s heart was breaking.

“I have a notion,” said Rothiemurchus



solemnly, after a pause, in the growing gloom, "that we may apply next time to Paul ; he has fine lights."

"Paul ! jiddling body ! we'd be a' i' the dark wi' his best whale oil."

It was Maria. No one laughed. Drumcross touched her with his elbow, and the silence was absolute.

The women, except Lily, soon fell into a sleep, worn out chiefly with excitement. Miles' active brain, and Rothiemurchus' still bright eye, after an hour, rested from their labours, by which time the weavers, with nerves subdued in manual toil, slumbered ; and the soldier laddie, hardened to danger in the imminent deadly field, snored in the ears of his "dearie."

Michael and Lily could not find the death of that day's life, and, in the tranquil minutes of its approach, a calm hope of the morrow. He listened, he thought, to the delirious murmurs of the sick woman in a fevered sleep.

It was prayer—that she might be delivered from temptation.

It appeared not to avail her ; weak, flaccid Lily, who had fled from herself to the artificial refuge of vinous joys, and could not yet be quite gathered together, though for days she had been gathering.

Yet call we it weakness that her heart, vacant then of its false proprietor at law, yearned towards the lover of her young years, miraculously her preserver just now ; the lover not immaculate, but truly merciful and generous as Heaven's order ? Purifying, both of them, face to face with nature in its great wrath, with death ; for their own bruised hearts, knowing the savour of right love, was there habitation clear and bright before them in this world, where there are not a few uniting props to permit even of an unstable reign of peace !

Signs of coming morning were already visible over the grey expanse of ocean, still

heaving wildly, as Lily got up nervously and staggered to the beach.

The keen eyes of Rothiemurchus, as in a vision through the dusky cave, seemed to scan the form of Michael Friars haggard before him.

The warper awoke later ; the grey light of the morning stealing up the cave. In his eyes lay the vision ; in his ears rang a wild and weird cry of his young master.

Friars and Lily were gone.

Miles was at once aroused and informed.

“Something too much of this !” He rubbed his eyes, thinking rather of cheering his spirits with some beautiful image from the poets than apprehensive of new difficulties with ill-fated and refractory lovers.

“We all play many parts, I know,” said he ; “but why play dead men ?” He was annoyed at the evil forebodings of Rothiemurchus.

“March,” cried the soldier ; again in his element, reconnoitering the scene of the war of waters.

The storm of wind and rain had gone. The black waters of the deep basins lapped the rocks of the shore, and the tide was out. It blew freshly overland from the west, and the sun with great glow was rising out of the sea. The strong pulse of life, that will assert itself even in insolvents hiding among the stones, may surely be due as much to love of the sun as to draughts of the juices which ripen in its summer rays. All found new vigour in their veins at the sight. Miles extolled its many excellencies, so that one of the weavers, with humour not to be repressed in "the smiling morn," whispered that it "was no mistake a whackin' <sup>lies</sup> <sup>with</sup> ;" for bread and cheese and a glass of <sup>it</sup> <sup>th</sup>.

But the eyes of the party were mostly engaged in a bewildered search for Friars and Lily. It was hopeless to think of their doing much themselves, and they sent a message to the burgh.

Rothiemurchus had run along the ridges of

the Skerries, and kept a look-out beyond the waters of the creeks. Far out, where the sea-birds were screeching and trimming their wings for flight, where the black expanse of flat rocks and the deep tide met, the loose garments of the warper's great form were seen fluttering in the breeze. He stood now gazing upon the appeased sea, where neither ship sped nor boat appeared, then towards the land and overhanging cliffs where the party he left stood together looking mostly after him with alarm.

He came back, but would not leave that shore. His bright eye was sunk and still ; his strong step listless beside the vast expanse of rock and ocean where the man he loved might lie as anemone or asterias. Heard muttering in self-upbraiding torments, he lay on the ledge where Lily had been found in the early night, watching the water slowly flowing from the basin below. When the others returned from the land above, Rothiemurchus cried, " They

are there," pointing to the shallowed water below.

They were there—drowned.

In death their weaknesses were forgotten, and their sorrows and their love only remembered. In death the barriers which separated them were cast down. Side by side they lay with a smile upon their livid cheeks, resembling that which Maria said they had worn at Heatherbracks when together; side by side they were borne on the shoulders of the weavers into the burgh, to be afterwards laid side by side in the ground above the cliff, which the weavers again named. Beyond the grave we think of them by the early promise of their open, free, kind, and susceptible hearts, and not estranged.

The weavers, attached to persons and place, headed by Rothiemurchus, recognised the genius of Friars, and resolved to try their fortunes on "No Man's Land." The form of the determined philosopher alone was seen to

stand erect on the poop of the "Arethusa" as she sped next day with the breeze, off the Bay, bound for the Far West. The weavers waved to Miles, off the cliff, with a piece of their linen fabric, and when the ship was lost to view over the sea they returned through Adullam.

Taking up the unpretending writings which form the title deeds of the humble cottages at Adullam, there is no trace of the events which begat them. We are careful enough to have all set down on parchment about our little worldly stores. What of the joys, the sorrows, the errors, the transgressions, the repentances, the hopes and faiths which have preceded the acquisitions? Unknown; to all but ourselves often properly unknown; yet how often unjustly forgotten or cast out! The dramas that are entwined with these cords which bind that musty bundle lying in the lawyers' chambers might less seldom be told, and with sympathy and kindness.

*THE HEIR OF TAILZIE.*

IT was the afternoon of an October day, following the decision, in the Summer Session, in the well-known entail case—Macaulay and others *v.* Kilratray, that a metropolitan lawyer might have been seen wending his way near the lands of Auchterlony towards the Villa Tanfield, residence of that keen Disruptionist, Miss Christian Auchterlony, one of the successful pursuers in the above-named suit.

The case was under appeal to the House of Lords at the instance of the defender, my client, Mr George Kilratray. He was the grandchild of the maker of the entail, Major Auchterlony, whose second wife had died, leaving only a daughter, George's mother



(also now dead). His wife had left all her wealth to the Major, and that gallant gentleman purchased with it an estate, which he had entailed (first taking the title in his own name) by a questionable deed upon himself and George Kilratray.

Takesniff, Q.C., who was accustomed to revise the judgments of the Court below, by the light of his study of the legal minds of the august lords of the highest tribunal at Westminster, gave hope of a reversal. Danbury held peculiar views, it would seem by Takesniff's account in consultation, in favour of maintaining Scotch deeds attacked upon the faith of some rigid old Acts and decisions of stiffer judges; and Danbury led Sudbury; Leadbury being generally absent in cases of the kind.

Meanwhile, two rumours had reached me which seemed to give some hope that the aid of my lord Danbury would not need to be invoked. The pursuers of the suit to

set aside the deed of entail were the assignees of Ralph Auchterlony, a “ne’er-do-weel,” the oldest son of the Major by his first marriage—viz., Miss Christian Auchterlony, aforesaid, Anthony Macaulay, and his second wife, Amy Auchterlony or Macaulay. These ladies were the other children of the Major, and sisters of the dissipated and now deceased Ralph. It was now said that Miss Christian had “Christian bowels.” The estate was by every law of nature and morality George’s; and Ralph was only entitled to claim it by law as the only son of the Major. Rumour, moreover, said that the Major had left a conveyance to his grandson, George, of all his estates in fee simple, but that this document had been put out of the way. Careless, if social and gallant gentleman, to employ old Saunders M’Sawney—because Saunders was at hand and could drink six tumblers of punch with the retired warrior—to write off-hand, on a wet day, entails and settlements!

I heard on my way that Miss Christian had resolved upon devoting her share of the plunder to the Free Church, and all hope of the "bowels" vanished. I had my doubts of the beauty of this sacrifice: I knew that her Church was then poor enough, and I remembered the story of noble Robin, who plundered the rich that he might give to the poor; but maturer judgment brought the conviction that Hood's practice was nefarious, and that all his followers would be—condemned. Besides, George, landless, was a poor man.

Beside the noble river Candlish, running its course between the great woods of Alvin and the high banks of Luth, I was whirled with a solitary companion towards Tanfield. There, in the distance, over the sweet pastoral meadow; where the odours of the forest and the violet beds, the rose, the sweet brier, and the wild thyme came famously with the south wind; where the notes of

the blackbird, the lark, and mavis were heard long in the woods and among the clover, dwelt Miss Christian. We expect human nature to partake of the tranquillity which surrounds it. But the heart of Christian Auchterlony had been ruffled. The fair scenes, delicate odours, and sweet sounds had no power to soothe to any accord with their passivity the strings of an instrument, not formed to make great music, which had been already stirred with the fierce blasts of Churches. The pale and solemn visage, and the soft persuasive eloquence, of the Reverend Malcolm Canmore, pastor of her church, pleading for mercy to the vanquished, and putting aside his own needs, had not any more effect to change her will than had the *bleu amiable* hyacinth, or the *en candeur* double tulip in her flower-pots.

A gentle passion was the original cause of her thirst for new possession; to make age more attractive to this most sincere preacher

of the gospel, the Rev. M. Canmore, it might even, she would think, be gilded with that fair soil—the *pro indiviso* half of Auchterlony. And now that he did not seek her, she would throw the, to her, worthless wealth into the coffers of his Church; believing it would be acceptable in a region beyond man's.

My companion of the coach attracted my attention off the dreary aspects of the decaying summer; autumn sighing without the approach of the sharp bracing air of accepted winter; a season in unison with the transition state of my client's fortunes. He was an old son of toil, gaunt and grim, with cheeks stiffened by sadness, and eyes full of ever-standing tears. Yet the expression of grief was mingled with patience and a strange joy. A saint's countenance would have been less attractive to a mortal, for this was human. A Greuze would, in the strength and delicacy of his brush, so heightened the sadness and the softness of the

sorrow, that stoics would have wept over the picture. I did not disturb the old fellow, for I internally wept with him, in the strangely-blended depth and humility of his woe. His lips moved, and more than once I heard him breathe the word "will." Will? I thought of no will but the Major's; and what concern would this saint have with the putting away of the Major's will!

George wished me to put the question to his aunt, if she knew anything of this alleged will. My errand now was partly to see her; and when my companion went out before me, and took the way through the burgh to the almost solitary Villa Tanfield, I kept up with him.

"My good friend," I said, "I must now break silence. We are surely bound for the same destination. May I ask"—

But the man hurried forward. Grief, no doubt, drove him from the companionship of men.

"I am going to Tanfield," I cried.

He stopped suddenly, and surveyed me in the "gloamin'." I returned his gaze with severity, and cried out—

"You are one of the persons in the knowledge of Major Auchterlony's will. Speak out and save yourself."

The feeble knees trembled between the exertion he had made to get away from me and agitation.

"Waur ye to ask Meenie," but he turned and scampered on.

"Stay," I cried, "who is Meenie? Is she your wife, daughter, sister? Be she elf or fairy, spaewife or witch, I must see Meenie."

Who was Meenie? This lithe, little lady, who, in fair flowing hair and bright blue dress, leapt from a carriage at the door of Miss Auchterlony, and as soon as she saw my companion, took him round the neck and kissed him? I stood back, and the pair went in together before me. Surely this was the keeper of the old saint's conscience, she who

dispelled the darkness on his brow with kisses, and wrung sorrow from his breast with her soft arms round his neck. If he were the possessor of the secret, and the lady my ally, I did not doubt success.

I was received by Miss Auchterlony hospitably, and even familiarly, since she continued, as I stood, vociferating for "Mina," whimsically descending from the full baptismal name through the endearing abbreviation of simple childhood to the abrupt syllable of less tractable girlhood. "Mina," "Ina," were cries peremptorily repeated along the low passage-way; and I now concluded that "Meenie" or Mina and my late companion were already closeted together in a parlour, holding conference. There was somehow pleasant association with the name, and mentally I repeated it, as I stood behind the owner of the Villa Tanfield, waiting for the warm affectionate owner of the Christian name to come forth. Would she come forth and seal with these



tranquillising kisses contracts of amity on behalf of George and his aunt.

For a minute Mina did not see us as we stood at the open door of the parlour, through which we saw her engaged with dainty handkerchief wiping away the tears from the eyes of the grieving son of the soil. This was Mina, daughter of Anthony Macaulay by a first marriage—the piece of nature, the vigorous, the glowing, the hearty Mina, of whom I remembered now to have heard two years before—Mina, with the laughing eye and ruddy cheek, who had been discovered, before she had reached her teens, after having been given up as lost, reading “Robinson Crusoe” beneath the branches of a pine tree; who had crossed the river by the dangerous rocks at the great falls, and sought an adventure, like Virginia, looking beyond the spray of the cascades for her amiable Paul; this was Mina, in whose tender, humorous countenance now the clear purpose of an active, not the dream

of a merely contemplative spirit, was expressed.

Laughing through her commiseration, she seized her aunt by one hand and myself by the other, and took us into the room.

“It’s Davie, Auntie. Davie is under my wing. He sha’n’t be shoyed out, walk, nor fly from Auchterlony—the old gardener. Who will separate Davie from his pansies? Davie is Nannie’s husband; Nannie just dead—good, kind Nannie.”

The long light brown hair of the fairy, which might represent her wing, fell over the bent shoulders of the old gardener. He did not disapprove, while—his restless guardian withdrawing the symbols of her protecting power—he cast his eyes upon the piles of well-buttered toast, which sat on the table near the fire where a pot of tea stood infusing.

“You see, sir,” said Mina to me, holding down her head, trying fiercely to repress a spirit of playfulness, and scarcely succeeding

in calling solemnity to the front, or in making herself a rigid defender of one faith, "I'm come here for good, and I intend to be as good as I can. Dodd, our miller, has been making a slave of his man Archie these ten years. I've pled with Dodd—Mr Dodd—gently, an' it's done good. I've been educated, you see, now. There's Davie there, and good simple George Kilratray, they are both in trouble. I'm counsel for the defence—I, Mina—that's why I'm here."

She drew the palms of her hands over her fair cheeks, and then, with her hands folded over her bright dress, waited, with a perceptible twinkle in her eyes, which were chiefly directed to Miss Christian Auchterlony. She wished to know if we had any opposition to offer to her enrolment among the members of the advocates of justice.

The defendant *in re* reduction, naturally, did not relish so much frankness on the part of her young relative. I, on the other hand, was delighted. My first exultation was at my

client's good fortune. Secondly, I saw a young lady wisely—if with eccentricity, eccentricity was needed—seeking to promote the ends of justice—an agreeable sight to professional eyes accustomed to contact with the malignant cohesion of perverse broods given up to selfishness and unreasonableness. Mina was as capable as the Moderator of the General Assembly of determining the moral justice or injustice of the conduct of Dodd, her father's miller, of the dismissal or transference of the old gardener, and the attack upon George Kilratray's possession of his grandmother's fortune.

Desirous of propitiating Davie, and perhaps of instituting a comparison of her own practical kindness with her niece's moral treatments, the elder dame profusely pressed Davie to partake of the well-buttered slices and the contents of the teapot. Davie's mouth was forthwith closed. Yet I perceived in the old gentleman's countenance an archness which betrayed courtesy, not conviction, to accompany

the silence induced by the lavish gifts of bread and bohea.

“Come, Mina—come with us upstairs,” cried Miss Christian.

“No ; I’m precognosknowing, aunty ; I cannot come ; Davie has something for me.”

Warmed with the earnest of many refreshments, to an instalment of which he had been led by Mina, and feeling clung to by this brave affectionate defender, simple as he had thought her to be, Davie lost the caution of his race, accustomed to wait on power.

“It waur Nannie’s ; it waur her leegacy to ye, Miss Meenie,” said the old fellow, drawing the back of one hand over his eyes, and with the other placing in the lap of Mina a small gold brooch. His tears were electrical. Immediately the legatee, as she took the trinket and tried to pin it over her heart, sank upon a stool at the feet of Davie. Suddenly seized with the full tide of memory of a just deceased old woman who had dealt kindly many a day with

her romps, she was borne away at once beyond her sweet but not imprudent irruption into the hard field of jurisprudence, and was a prey to grief herself.

Davie was committed from that moment to the side of innocent nineteen, and to dare the power of numbers, age, and influence. With Davie, as often with his betters, even with the clearest principles of moral duty, requiring not a single thought but instinct only, it is persons who direct the course, and one who to him was a child directed the canny "saint" now.

We heard the sob of the girl as we left her and walked quietly up stairs. "Oh, Nannie—Nannie—Nannie—dead, Davie—dead."

So advocate and witness had their weep together. I had confidence already in Mina that the business she had in hand would not be neglected. I was with her in imagination as I reflected that the strange joy visible on

the stricken countenance which hid the frail morality of the old servant was not unconnected with the depth of feeling evinced for him in the breast of the joyous, the tender Mina.

The burghers of the old-fashioned town as I passed through it were already moving with important and joyous stride to whist and toddy; matron and elderly maid, accoutred for tea and gossip, also tripping their familiar rounds in their quiet social world. It was an important social gathering that was expected just immediately at the Villa Tanfield, I was informed. Counsel was to be taken among the lady's "cronies" regarding the manner of her bestowal among her Church's Schemes of her share of the price of Auchterlony. It may be believed that I was anxious to be off. But upstairs Macaulay was already seated, and the opportunity was given to me to interrogate both pursuers of the suit.

Anthony Macaulay, or "Tony" simply, as he was called by the "cold-blooded Moderates"

of the Church, was possessed of the greatest wealth and influence, as a lay supporter of the Free Church, among the parishioners. These he owed to an indomitable energy and a keen interested humour, aided by a practical generosity, which did not need to be exercised towards individuals beyond the presentation of a pinch of snuff. So commonplace a query, delivered by Tony on a market day, to a single person always, aside from all other men, as “Ye’ll be a’ thrashed noo, Saunders,” or, “Whaur got ye that pretty lot, Jeemie?” (referring to some hummlies), he proffering his box, with a pinch at his own nose, went to the very marrow of the son of toil addressed. The small weary farmer, the decrepit earth-stained pendicler, felt themselves thought about, singled out, and applauded (always with knowledge), by the pawky gentleman. His attention conferred upon the poor countrymen a taste of the gratification of the bay-crowned poet, of the rapt joy of the trumpeted



hero of the field, of the thrill of the accepted star of the Thespian Temple. It was well known that that snuff-mull had gained over twenty members from the Establishment in his quarter for one that the celebrated pamphlet of the minister of the parish against schism and voluntaryism had retained. Rumour in former days had accused him of making money in smuggling; and his fine mansion was known then as "Smuggler's Cave." Its present name, given by his opponents, was "Cumnor Hall." Anthony Macaulay had married Amy Auchterlony; and had burned at his gate the reports of the decision of the judges in the well-known Church cases of Auchterarder and Strathbogie. Hence "Tony-fire-the-fagot," and the bestowal of the name of the place of retreat of the beautiful and childish Amy.

It was an odd sight to see the Falstaffian-looking gentleman—for he was round of body and most rosy of countenance, like honest

Jack—one little likely to get hoarse singing of anthems—fired with puritanical zeal, sending the “records of sin” to destruction. It was said he had made a sacrifice, in his fit of holy zeal, of some good usquebaugh, to make the flames blue; for the crowd of enthusiasts was delighted with braver fires than could be emitted by mild print sheets, while fretting, doubtless, at the waste of “good stuff.” “Odd, chaps, they burn pretty,” cried Tony; “see hoo they tak to the het wark.” The laughter was great. The said cold-blooded individuals always maintained that the energetic and humorous Nonintrusionist did not weigh with prayer and deliberation the sides of the controversy, but took, necessarily, from early associations, the side of revolt against authority; and took it also as he knew his father-in-law, Major Auchterlony, of whom he had nothing more to expect (the Major having divided the greater share of his own wealth among his

family so soon as his second wife died)—and of whose new dignity he was not a little jealous—to be a staunch supporter of the Establishment.

I could easily imagine that Macaulay would think twice before counselling his elderly sister-in-law to give so large a bounty to the Church ; and I was not surprised when I got upstairs to find that he had a letter—from my client, George Kilratray—to read to her concerning her intentions. He knew her temper best ; and doubtless a course which might have made others persevere in “ pious ” stubbornness he thought might have another effect with her ; while it might be certain at all events to save “ the spoils ” from returning to the letter-writer who might offer gratuitous advice. It surprised and annoyed me to find the otherwise judicious fellow committing his feelings to paper to be set before his opponents.

The owner of Cumnor Hall was not in an un-

happy, though anxious, mood with this letter on his knee; his keen merry eye twinkled, and ever and anon he struck his mull, taking only once a pinch, as we walked slowly to chairs and sat, without speaking for a minute or two, looking upon his comfortable-like person.

“Ay, Geordie! Geordie says, ‘Christian Auchterlony’s mind is not concerned with questions of spiritual independence, headship, and so forth, any more than it is with doubts of the use of vestments, wafers, incense, and eastern postures. She is of a mind with Sir Lucius about disputes. If she fights, it is to warm her blood, caring no more where the right lies than did “Achilles or my little Alexander;” but leaving the lazy sons of peace to settle the justice of it. Let her retain the spoil.’”

I watched the naturally good-humoured countenance of the lady during the reading of the letter, the true meaning of which

her rousing temper did not permit her to seize.

Miss Auchterlony burst into tears, buried her face in her hands, and cried that the money was to be given to the Church of Christ, through her faith in whom she hoped for mercy in heaven.

I saw that the lady had had her good nature impaired. I saw that she had, permeated by strong enough earthy particles, a heart naturally capable of some sacrifice, one to bleed at unjust imputations, and if succumbing to a great temptation, possessing still a pure chord of love. But her instincts had been muddled with attempts to master the subtleties of divines. It was in truth apparent that the owner of the Villa Tanfield would have been the better of daily roams over the pastoral meadows, free of the "controversies." Of real steady convictions of any kind, to ground her attitude of preferring the cause of her Church's pocket to the cause of her clever and high-

principled nephew, she had none. To a vague and undiscerning eye only had in her case the conflicts of the Churches presented themselves. Capable of worshipping "Christ not Cæsar," doubtless she was; yet without truly seeing an inch of that immeasurable distance which was represented to her to lie between the creeds of the Churches said to be respectively under the patronage of one of these great names.

During this scene the ruling elder of the Church sat unmoved, not displeased at the display of devotion of the sister-in-law to the cause she had espoused with him against the wishes of her father. It was now my turn to speak.

I told them that the purpose of my visit was to interrogate them regarding the missing will. The fire of wild passion rose in the man's eyes. He at once took a pinch, rose and turned his back upon me.

"If there were a will, I wouldn't trust it to your judges."

I suggested that *he* had trusted the deed of entail to their construction with success. [ ]

“They would have upheld it, sir, if they dared. But there was decision on all fours with ours against it. They daren’t—though Bellfield and Cranberry finished the Major’s Leoville twice a year after circuit. A curse on these cringing curs of authority !”

I attributed the decision to the law and their conscience ; and recounted the moral claims, the misfortunes, and the situation of my client. It was the duty of all, and especially of those in whose company I was, to reveal even their suspicions of the existence of a will, which the now deceased M’Sawney had apparently so carelessly made for his client. As to George’s adhesion to the Church of his fathers, it was as conscientious as might be expected of one of his years. The lad was fond of banter, and when he employed that light weapon upon an antagonist who seemed coming into possession of his

property, his freedom from real bitterness of heart was assured.

I was scarcely listened to. The ponderous form of Macaulay shook the floor as he trod it, after he had shoved the mull deep into his tail pocket, as if that instrument of propitiation were never again to see the light of day. He was now identifying himself with his sister-in-law's designs.

“If Kilratray forsake the Erastians, if he join the true Church, come yon back here. We have spent blood and gold in the cause, and can look upon this acquisition as may be directed by a Higher Power. If he adhere to his godless crew—let him starve. It's pride and tyranny they love, and a fall 'll do them good. Ay, may the whole pursy hangers-on of the State sink; may their supporters crumble, and their lands go—like Auchterlony—from them.”

We did not observe that Mina was a witness, in the background, to this passionate



burst of irrelevancy, in which the speaker—a shrewd and sensible man—followed a course of attempted self-imposition.

All traces of her recent tears gone, and with a face shining in her happy purpose, she made her presence known. She put her arm in that of her father, clinging gently, with her eyes bent on the floor.

“George will not join our Church, and you would be first to despise him, father, if he did, for the sake of lucre.”

The words were spoken with quiet ease. Mina was even playful; and far from commanding, did not now seem to plead.

There was an evident struggle in the breast of Macaulay. But he shook his daughter off, sitting down, and commanding her silence.

The child stood for a few moments looking on his anger. A wild flash of indignation followed over her fair face. Then sternly repressing a rising emotion, which, if she gave way to it, could only have brought her advo-

cacy at once to dumbness and bitter tears, she sat down on a stool at her parent's feet.

"Go," cried the father, "go to your tea-making. I hear two of the elders below."

"Let them come," said Mina, with firmness, but in gentle tones; "they shall never handle any share of the lands of Auchterlony."

Looking up she met the demon in Anthony Macaulay's eyes.

"Do not look upon me, father! I cannot help it. I must see George righted, or die! No," with a smile upon her reddening cheek, she added, "I will go to America."

From Mina's heart rose no gushing sentiment. This hearty little maid, who could see "the future in the instant," would not die because a man was despoiled of his estate, or her people seemed to her to be unjust; she could steel her soft desires.

All three of us rose to our feet. The lips of Anthony Macaulay trembled, and his florid cheeks paled; while his sister-in-law wrung

her hands, and cast violent reproaches, mixed with incredulous stares, upon Mina, who was kneeling with her face upon the couch from which her father had risen.

The girl braved the wrath of her nearest and dearest in the cause of justice. Yet in a moment, not repenting, she was ready to clasp the knees of her erring people in sympathy ; her gentle nature alive now to their pain.

As she rose and followed her father, I was struck with the beauty of a face which might be plain in repose, but now reflected the calm glow of a heart moved to its depths with a clear, pure, and holy love—the love of giving every created thing its due—the love, at any cost, of all mercy.

The bright countenance of the young enthusiast—upon which, as we stood, some play of humour, qualifying the strain upon her sensibility, was rising—kindled within the duller natures of the victim of self-imposture, and the man of the world, sparks of sympathy,

at all events for her ; remembering her early loving devotion to the cause of the Church which they professed to reverence. They were silent. As I left the room, pressing on her father's lap, she was pleading with warm eloquence the cause of George.

I was nearly half a mile off from the Villa Tanfield when I heard behind me the rustle of the dress of a woman running. It was Mina, who, out of breath, as she had sped like the wind, informed me that she had forgot to request that my client and I should be present at Auchterlony to-morrow at the funeral of Nannie, the gardener's wife.

"You wonder," she said, adjusting her hair ;  
"so will George."

I knew they were not lovers, or had never known themselves to be such. George, it was well known, had an "affair" with another. Of Mina I had only heard him speak once, and that was with smiles ; kindly laughter for a creature who could not possibly be a

flame for one whose passion was inspired by the grand and lofty.

"You see," she said, as I turned with her, "George always treated me as a wild, untractable thing. Though he pulled me out of the Lynn Pool often, I suppose he saved me to gratify his tyrannical nature. He would make me gather brambles for him, and then eat the most himself, and paint my cheeks with the rest. I hadn't seen him for two years till last week. I've been south finishing—I've been educated; but what must you think of me! Only, you know, my education was accomplished through feeling!"

Here she broke into laughter, and I was compelled to laugh too, to vary my humour with one who, at one moment, seemed a religious enthusiast who might be worthy of canonisation, and at another a frolicsome lass.

"That's what our German Master held forth. I know George suspects me of possessing a weak and ill-directed sentiment: I know

he doesn't trust to development in my case. When he came across me for the first time last week at the Falcon Crag, he said, 'Fine day.' 'Quite well?' 'Thank ye.' 'How's your mother?' That didn't give me any chance of showing how much feeling I had for *his* misfortune. I was in a rage. But when the stars were out, and George's candle was lighted, and I, returning from the town on horseback, was thrown at his door, I was made sensible. It isn't the first time I've got sense from knocks. Why, there isn't one for rising like me when knocked down. I am more in his cause than ever—the simple George's. I am hard at work on precognosknowings, and affidavies. I know it don't become a young woman quite, but think of my education. Laugh as you please. You won't know what a taste for justice I have. Portia hadn't any particular taste for it. Did she do more than save her lover's friend?"

As she sped before me, evidently wishing

again to take flight, some philosophy which I had caught from Mill, some axiom I had gathered of Spencer, were on their trial; for who would not that a bright intelligence and a fine sense of justice should cajole? Was there not beneath all this playfulness the spirited love of justice—in the abstract?

Ere I bade her a second time good-night, and as I had counselled her of the pains and dangers of opposing the proceedings of her own people, she assured me—the ring of her merry voice quelling the sough of the autumn wind among the bushes by the river, and rising above the cry of the meeting waters near which we stood—that she was “quite alive.” In a whisper, too, I thought she added she had been taught love by another Father. Upon the principle, I suppose, of the last half of the adage which is concerned with keeping your powder dry, she further assured me that she was making certain of Davie: “Only mind his

pansies, and there isn't a man for goodness like Davie." She had taken a whole bed.

So there ran away over the grey landscape this lithe and blythe maid, who was making herself a guardian about her own land; a guardian such as was found in the old ages, and in the fancy, to be ethereal; but may be at this time no less while yet present in the flesh.

I found George Kilratray, the hero of the drama, seated in his Cæsarean villa, to which he had removed from Auchterlony after the decision of the Court of Session. The reverse of fortune seemed to have increased the happiness of George, a great stalwart manly fellow of some six feet three, whom I now found lying on two chairs (after a heavy day's work of study at Erskine and exercise on the roads) amusing himself with some comic doggerel lines upon his loss of Auchterlony. He would not hear of any news I had to tell until he had read to me his composition. It ran—



“ I’m but an heir of Tailzie  
Got cast adrift with Spuilzie.  
Declarator and nullity,  
Fee-simple invalidity,  
Lord Ordinary and President,  
Authority and precedent,  
Have ta’en my lands awa’, man,  
And left me with a plea then.”

And so he sang and recited through two or three more verses, in which he lamented his want of autumn and winter sports ; how little the capercailzie (which rhymed with Tailzie) would now dread his step ; pointing out how he must sup at “ kail sae ” (also rhyming with the Scotch word for entail) ; and winding up with the refrain that all that was left to him was the plea. In former days, George, probably to some extent under the tuition of his grandfather, with whom he had always lived, had been a grand and dignified gentleman, whose types of manhood and womanliness were the M’Ivors of “ Waverley ” and the Ivanhoes and Rowenas. Now that he was free of the constraints of apparent heirship of a good estate, and misfortune had brought him into sympathy

with the obscure crowd, and beyond mere pity for abject suffering, he was opener and freer. For a youth, he had already great experience of life. The liveliness of his temper appropriated it to elevating uses. He intended to sit one day at the head of the Supreme Court.

That day George left Auchterlony house, and the word went that it was already sold to a soap boiler of Yorkshire, he mourned—as he bade adieu to the familiar rooms—over the wounded memory of his grandfather. “How the old man,” said he, “delighted to read that deed of entail with its jargon of fetters and prohibitions, clauses irritant and resolute; all hollow and deceptive, wanting two little syllables, the vital sparks. This story was added for the convenience of a century of descendants. Ay, yon tower was erected on the hill to afford a survey of the lands inalienably his, by the combination of pen and ink, for hundreds of years to come. He is but a year dead, and the whole fabric is down like a house of cards. My

mother slept in this blue chamber her last sleep ; he believed that in it, ay, may be in the course of two hundred years, the placid smile of her fair cheek would be seen through generations repeated in ruddy health, on the downy pillow, in the early morning sun ; which he regularly came to let in, in her latter days. No descendant of his will play upon these wide stairs, or pluck the roses of the old garden ; none shall bless him around the old sundial bearing his initials. That irritant clause—that testing clause—“*Sic transit gloria mundi !*” So with tears in his eyes and a brave laugh rising in his heart, he went forth.

Before he did so he had tasted of the bitter draughts which form the drink of unfortunate youth in the banquet of life. George had fits of melancholy, you may be sure ; the world is often out of joint even for an heir-apparent, and George for a summer or two might have been heard crying in the woods of Auchterlony, after the manner of a well-known poet who addresses the west wind ; that the wind should

make him its lyre even as the forest, but questioning whether his leaves were not falling like those of the planes and beeches. George looked forward to the meeting with, and possession of, the common panacea for disorders of the youthful male mind—a heroine—some splendid Flora, poised, with her fine foot upon a rock, her eye kindled with feeling, and speaking of the Celtic muse : “in the mist of the sweet and solitary hill, with voice in the murmur of the stream ; that he who loved her must love the barren rock more than the fertile valley, and the solitude of the desert better than the festivity of the hall.” George was ready, nay, eager, to go to the rocks and solitude, that he might worship the beautiful, and woo the lofty maiden linked to the lovely and sublime. When George was “spouting Homer” in the streets at midnight, with two or three choice spirits, who frequented the “Rainbow” of an evening, or went to Mrs Colonel Hayston’s dances, he scarcely realised his ideal. He might

rescue from the harsh clutches of officious policemen virtuous maids, not yet near the fell jaws of dissipation ; and the young ladies in Grosvenor Terrace were pretty. But the impassioned Flora he did not meet with ; keeping his fancy of that noble maid for the recesses of his own heart, and his papers at the class of *Belles Lettres*. Kilratray, there, evinced a high opinion of the sex's charms and powers ; and he gained the chief prize in composition for his essay on "Woman's influence in the cause of peace." "War, strife, rapine," wrote the lad, "all the petty larcenies of common life, would be rendered nigh impossible by the influence of her serene and unselfish bosom, if man allowed her her due place in the world. She would direct the assuagement of the irritations which often generate war ; she would bestow where want has excited rage. Pure, generous, charitable, she never gives way to cruel ambition and insane cupidity. She has enough when she is loved !" "What !" asked the delighted but cynical

Major, who remembered of many ladies, royal and patrician, who did not bear out the argument, "What," he asked, "if they are not loved?"

And George was wise enough to laugh; while he showed how, by reading on in his MS., some stories in history could be made to plead his cause. That same night on which George brought his prize essay to his kind grandfather, the latter brought to him the handsome Georgina Harley. The Major knew very well this was his grandson's "style;" she came there with a sister of his late wife, and stayed at Auchterlony for a fortnight. Before a day was over, George was in love, and before she took her departure for the south, there was an understanding that they were to be man and wife at no distant day. Georgina had listened, as they roamed together in the woods and by the river bank, with apparent delight to the words of fine frenzy of the apparent heir; and, while she

looked the part of Flora, and breathed concurrence—as she was bright of eye—though this was music without words, it was yet music ; and George was in rapture.

When the enthusiast returned to Auchterlony two months after the Major's death, he found two important documents awaiting him, the burden of whose song issued from the minds of persons of that sex he had set himself to champion. One was a service copy summons of reduction at the instance of his grandfather's daughters ; the other, about which I and others were now made aware of for the first time, was a short letter from Miss Harley. Miss Harley's solicitors had satisfied that young lady and her friends that the entail was, without doubt, worthless. The strain of the letter may be imagined. George had now only a couple of thousands of capital instead of six thousand a year ; and Miss Harley knew that if she were to marry a man with two thousand pounds she would be a

burden to him, and so she gave him up ; having a great deal more prudence than warm impulsive Kil, who would have raved about his strong arm and stout heart, and taken her to a flat in King Street, insufficient to promote the delicious sense of still life—which gives the peach bloom to the cheek and retains it unimpaired, to permit of a perfectly healthy survey of the world.

The good fellow was indeed stunned ; stunned physically at the depravity of woman-kind ; and when he got up from his library floor with the aid of Horrocks the butler, who found him there as the pale light of morning was already streaming in, it was to remain in almost a dumb condition for a week. But at the close of that short period, nature asserted herself. He took out his prize essay on the best method of bringing about the millennium, and read it over until he came to that part about the pure and generous soul



which knew nothing of cupidity; then he gave a great laugh and threw down his MS. He did not burn it, for he had drawn that part of it at all events from life; in the blue chamber he had known such a spirit, and he believed there were others who could put aside the flesh pots and enjoy better things even with a little paleness which the world might not admire.

“What!” cried Kil—strong and comely, pulling his fair beard and moustache, and putting out his sinewy and long arm—but solitary, alone now without relative to advise with; without bride to console and cheer—all by the blunder of a “donnard auld deevil” taken to be a lawyer—“what! I am not dependent on this property! I will push my way in Afghanistan, among my father’s friends. I may yet recover it! I would have fought more bravely had *she* stuck by my side; I would have had spirit for patience and struggle in a profession had she been

true; but to cast me away at the sight of poverty!"

The first thing he had to do was to try to uphold the Major's deed; to give reality to the long day-dreams of the old warrior, to enter upon the centuries of a posterity's peace and glory in the grand old hall. George was vigilant and judicious in his conduct as a litigant; firm and fair as well as ingenious. The honourable soldier, whose "toy and bauble" he was fighting to maintain, wished his grandchild above all to be "a good man;" and George, I could imagine, praying not for success, but only that misfortune would never make him a base one.

Prudently, I gradually now revealed to Kilratray Mina's share in the endeavour to discover the will. I unfolded to him the traits of her riper character, and insisted upon his presence with me next day at the funeral of Nannie. George shook his head, but pro-

mised to go. I left the honest fellow, as I went to bed, yet sitting, gazing dreamily into the fire. My bare narrative of what Mina had said and done, had evidently made a deep impression on him. Was it in the rompish, wilful, yet to him hitherto insignificant Mina, that he must look for that practical, lofty zeal, which he must see in his realisation of the ideal of woman?

It was late in the afternoon when the body of Nannie was delivered into the hands of the mourners who were to bear it to the kirkyard. The funeral party assembled had to wait beyond the appointed time. Macaulay was not present in the room which had been set apart for us who were to assist at the obsequies paid to the remains of the old housekeeper at Auchterlony, nor was the chief mourner himself present. I associated their absence with some proceedings of Mina. There was much in the unspoken sympathy of the few tenants present for the position of George Kilratray ;

and the whispers that had gone abroad for the last few days, to the effect that the housekeeper, the foster-mother of Ralph Auchterlony, had, in devotion to that scamp, put away the will of the dying Major, found their way also among the farmers, and created now some indistinct buzz of anticipation. I was anxious, but I left it entirely to the intrepidity, wisdom, and cajolery of Mina to unravel the mystery, which, without her, would always have remained so. The saintly countenance of Davie had not concealed his frail human nature. Had Nannie stolen the will, I could easily believe she would not destroy it; yet leave it to her husband to be even buried with her; and Davie vacillate with perfect complacency, yielding at last to the blandishments of an affectionate girl, while he would have been obstinately ignorant at the command of a lawyer.

We looked nervously towards the door which opened with a bound. In it, draped

in black, solemn of countenance, bearing signs of recent agitation, stood Mina.

"Gentlemen," she said, in clear intrepid voice, a glimpse of sunshine breaking for a moment through the melancholy induced by her struggle with inferior natures, "Davie is sorry to have kept you so long waiting. I am the cause. I wouldn't permit him to follow his dead wife to the tomb until he had purged her memory of some scandal. He has delivered up to me the recipe for killing it. He is ready now." Here the tears flooded her eyes, and her little speech was stopped. She drew herself up, and continued, "You may go now, gentlemen."

Mina was gone, and we followed the mourners.

In an hour, ere the last red beams of the autumn sun had vanished before coming night, we were again seated in the library at Auchterlony, waiting upon the movements of the chief actor in the strange drama. We had not

long to wait. The dinner, of beef and greens and a glass of warm punch which was rapidly brewed, was not finished before a message arrived from Mina, asking if she would be permitted to come in. In a minute she followed. "Brighter than the morning" were the forcible words of our friend Fauldhouse as she entered; her eyes sparkling, and with the grace of a Muse. She shook hands with us all, and delivered a paper into the hands of Kilratray.

"Mr George Kilratray," she then said, "I am able, by the grace of God, to restore to you this will of Major Auchterlony, of which you have been deprived. I do not know its meaning or effect. I pray what is yours may be yours by it and the law. I beseech you for forgiveness and mercy"—here she knelt on the ground—"I plead for mercy for the ignorant, the erring and weak. As you hope to be delivered from temptation—as you hope for salvation—oh, forget and be merciful. And—farewell."

He was struggling to raise her, the, to him till yesterday, wayward, unremembered Mina ; pleading for forgiveness, while he thought only of the injustice for which he himself should plead forgiveness from her. But she eluded his grasp, and was out. We saw her nimbly running over the lawn before he had time to recover the effects of the surprise, and her impassioned and odd address.

Throwing to me the paper—which was a short disposition of the Major leaving all to George—he followed his benefactress, scarcely knowing what he did.

As we saw the great fellow bound down the slopes in front of the hall, in doubt and confusion, and stumbling at every other step, not knowing where to turn for the object of his search ; as the farmers danced in their excitement, needing some point to their rather awkward gestures, I drew them back to the table ; and, as I told them the effect of the

will, asked them to charge their glasses meanwhile.

“You know, gentlemen,” I said, “in this house of rejoicing—but two hours ago one of mourning—you know to whom the first bumper is to be dedicated?”

They did.

“To Miss Macaulay! Here’s to Mina! God has blessed her; may she have an additional reward than her own pure heart, *here*.” I could not stifle that word.

When Kilratray returned two hours afterwards, he had only a quotation for me, now alone, from George Sand. “I looked over the garden wall,” said he; “only the evening wind playing among the shrubs.”

Mina had freed herself greatly from an impulsive habit sooner than had her old playmate. I suspected from George’s demeanour that he had overtaken Mina before he had looked over the garden wall, but I was silent on that head.



I imagined that he felt rebuffed. He had discovered there was a secret in these delicate natures—which, in the general, he had played with and patronised on paper—yet to be unfolded to him. The most vigorous of her sex, arch and humorous as she pressed forward with the claims of her zeal, was not to be won by bursts of awakened affection. But she knew George well. I believed that that great historical spectacle of 1843—the Protest of the Divines; and the procession; the flights from Church and benefice into the fields; which had stirred her young impressionable heart—had severed all thought even of associating with George Kilratray, though in her forgetfulness of schisms Nature asserted herself. George was “moderate;” George upheld unjust “authority,” and even was seen to give a laugh over such sights as her father holding in the meadow during service an umbrella over the head of a martyr, or her carrying eggs and fowls to that patient one,

a father of the Church, driven to the cottage on the hill.

“’Tis true, and pity ’tis ’tis true,” that individuals who suffer martyrdom on their own account have a very different time of it from those who are borne along on the tide of enthusiasm of a great community which is also voyaging with rich independent freight. Mina, though she did not lecture people or ask them if they were Christians, was not likely to have happiness dealt out to her by those to whose moral sores she had applied even her sweet herbs. In the case of her father and his sister-in-law, who were carried away for the time by her spirit, there was the reaction of the sense of losing a fortune by her interference; and Dodd the miller, and the rest of them, who gave way to her entreaties to use Archie gently, or give Joseph a better cot, on being appealed to a second time, exhibited the spectacle of nature tired out by the unwonted experience of a soft

emotion ; and decidedly snappish. In the course of two years Mina might have wept that she had no more worlds to conquer. She was still the same, but the world was not that world which had welcomed her.

George, who found her eminently lovable with all these enthusiasms and humours, and who had endeavoured to consult her opinion on some matters concerning the management of his own estate, was one December day, accompanied by myself, driving towards the hills, when, with the aid of a glass, he spied Mina coming down from her father's house dressed for a journey. Behind her was a conveyance containing what appeared to be her little luggage. "She is for fifteen miles up the hills. This is leaving home now," cried my companion, deserting my side.

In spite of his concern he laughed to see the little woman so eager to play the devotee. She was going up to "the father," an old half-blind clergyman, to act as his amanuensis and

to cheer him in his loneliness when he could see less society during the winter season in that cold region.

“Now,” cried George, “I will join *her* Church.” Dismissing the carriage, he ran to meet her; I walking aside.

The romantic girl could not fail to be touched deeply with the attachment of her old play-mate.

Mina looked up in wonder, yet not with absolute delight as he spoke his resolve.

He noticed her disappointment, and turned away.

Her pride of Church was gone from that moment.

“George, will you walk home with me when I’ve served my time with the father? If you do, Geordie, I’ll go to your church next Sunday with you. Oh, he won’t change my mind; may be he helped to make it. I’m getting educated—still—you know.”

*LATE SENIORS OF THE PARLIAMENT  
HOUSE.*

THOSE, generally old, sons of Themis of my earliest recollection of the House pass before the eye of memory still with the enchantment of imposing forms, erudite speech, and great manner. I viewed them at a distance with the reverence born too of a humble apprenticeship in the craft, and a fancy that their massive and bright forms defied decay. They bore to me an air of immortality which does not seem to be breathed about the persons of modern lawyers. Though they were old in years, old age seemed not for them. A Frenchwoman has said that it was the Revolution that brought old age into the world ; but I imagine now that these old warriors with the last, as other mundane, trouble, remained green and lofty by imbibing the vigour of an

awakened world. They were not yet dwarfed by the pressure of the raised crowd which surrounds the modern who may be worthy of fame and is yet reduced to insignificance. With these great men I had no contact. They soon dropt off the scene, and I ceased to marvel at their mortality.

Meantime I had relished mostly the old world talk of the less lofty promenaders of the Scottish Westminster Hall, and desired to hear of the adventures, humours, and foibles of the giants. It was delightful in the Sheephead Tavern on the borders of the Lake Dudding-lapis to listen to aged, well-seasoned gentlemen of the courts telling tales of personal adventure now almost impossible. I drew them on, however, to tell me of their superiors and seniors to little valuable purpose.

The expired lights of the bar of more than local importance (yet not always shining to the world), whose personal traits might still agreeably entertain us in narrative, are or were re-

cently very well known to individuals who had been connected with them in business—their clerks and agents moving about the courts. But such of these known to me as lingered lately on the scene I found had ceased, with the doted indifference of old age, to remember whether the great men paid devotions to the Muses, ever had love intrigues, or had, in their walk and daily converse, characteristics treasured by intimates. I ceased to interrogate these worthies further after receiving answers to a few inquiries. One seemed to remember most that an attempt had been made by his employer in a fit of greed to cozen him of a new thorn walking-stick; while another had the most distinct impression of the learned counsel always over-working him on days the learned counsel was unshaven and did not wear a clean shirt. It requires no stretch of memory to remember the tall, straight, grey-headed figure of a very old man, with a Highland physiognomy, who, in the Parliament House,

edged not feebly on his straight limbs, and stuttered in his prattle with some relish of life, and who connected the time with the days of the "Edinburgh Review" and "Waverley." One of the leaders of that era he assisted at the desk. This old person, very accessible to youth, albeit fiery a little in temper, used to be assailed by the curious for some account of Scott, Jeffrey, and Brougham, and the other bright lights of his early years. But would-be historians, myself among the number, were quickly dissuaded of the fancy that to live is always to acquire and retain impressions of the luminaries around. This associate of the great, it appeared, had no interest in the recollection of them. The past was, in truth, nothing to him. A further acquaintance with the chatty gentleman revealed a character who regarded the days that had gone as decidedly of no further service to him. They had served their turn, and there was an end of them. It was the present alone that possessed any importance to this lingerer



in the land of the living. Still, at eighty, he culled the flowers as they grew. Not altogether saddening is this condition of mind—though sometimes provoking to later-born acquaintances—if the flowers be appropriate to the tenderness of age. And I found that the old gentleman's fancy was for the society of the gentler sex; though not by way of reminiscence either. In the course of his long life many beauties had shown their charms in ancient Reekie, or across the bridge in the clearer air of Princes Street; he had doffed his bonnet, with the rest of the pit, sixty years back in the Theatre Royal at the entrance of Miss M'Lean the reigning belle of Caledonia. But this philosopher was not to be set down to fondle the ghosts of extinguished charmers. His epicurean lips never smacked with the resuscitation upon the palate of old feasts.

“Kitty, beautiful and young,  
And wild as colt untamed,”

must come before his eyes in the body to

induce a remark about her. No more cared he to describe the points of beauty about Miss M'Lean than to recount the charms in the mien and manners of those men the world is not yet tired hearing of, who for years he met almost daily. I was therefore forced to be interested concerning this old fellow as presenting a contrast to most octogenarians, who are generally accustomed to babble of events which have affected themselves occurring sixty years back. He might have furnished material for a chapter about "a walk down the Mound yesterday," or "a saunter across the North Bridge this forenoon," after having prattled away to accessible maids who were young and pretty, and indicated their possession of a fair measure of simplicity and ingenuousness by their protection of little children. But he had no moments to spare for relating the venial weaknesses of other men dead years ago, being taken up entirely with the present enjoyment of his own.

That period in life—the close of the second decade—when wonder fails, was the time at which I first touched closely the gowns of a few Seniors in the Parliament House. The fancy will remain that they possessed humours, and “brave notions” seldom to be found in new generations. Does, too, any old lawyer now solely read for his amusement the law reports as they come out from the publisher’s hands, watching their incoming with the delight of the young lady of the boarding-school at the pages of a second “Cometh up as a flower?” Does the lawyer, old or young, now carry “Virgil” in his pocket for reading at stray half-hours? Is he content, for two or three guineas, to talk away the main hours and burden of the day with the story of the freedom of teinds *nunquam antea separatis*, if his speech be seasoned with Shandean humour or Attic salt? Do mid-impediments in holdings still possess a charm for his intellect?

There was tranquillity in those days; and the

stalwart forms of the followers of Erskine were partly nourished to their full height and breadth thereby. With them there were no hurrying to and fro, no flying to the illusive delights of distant pleasures. Such lusty people had no concern with affectation; and they took to life with all their genius and learning as it suited themselves to do, not conforming to any pattern prescribed by society merely for its appreciation and their pocket.

The temple of the old humourists, the place where most did congregate the wits and wags of Caledonia, has for some time felt, with the rest of the world (that as matter of course), the depressing effects of "progress," and the attenuating results of a condition of "high pressure." Nothing seems to be said or done now in the Parliament House unless in furtherance of the suits and the ends of justice. Even the client himself who dogs the heels of his advocate, can no longer throw his hat in the air with great huzzas, after a hazardous avizan-

dum, compensated by the sight of the comb in which learning and wit have flashed all for him. The most gifted son of Comus or Momus will scarcely be roused into a pleasantry, though clients may be satisfied they have the money's-worth. Such "bargains" of justice must now be prepared for the public's man, that throughout the whole stages of the brief "ganging plea," pleaders and judges must refer only to the case, the whole case, and nothing but the case. The auditors are on the watch for any backsliding into a playful spirit over the dark record. A laugh causes the advocate to be suspected of insincerity, a jeer of absolute indifference. Does he attempt by the way to raise a smile in the solemn room of the Inner House, that is so much valuable time and caloric wasted, which might have been properly employed in warming the minds of the judges to the cause of reduction—in probation, or declarator of irritancy.

Pleaders are nothing if not convincing to

judges; solicitors are nothing if they are not convincing the counsel;—"Ancient fun, and wit, and ease," are now supposed to be provided exclusively at other Temples upon payment for a well-padded *fauteuil*.

Let all men who have suits bring them where brevity and despatch are recognised as excellent substitutes for idle oratory and idler fancy. My Lord Alderburgh grapples with the mazes of many records in a single hour; and the astonished pleaders are shown the way out, and the end, before their breath is well put to use. Never since the days of the bull of Pope Clement VII., authorising 10,000 golden ducats to be raised from the revenues of the Church for payment of the salaries of the judges of the newly-instituted court, have the chief labourers in the supreme civil tribunal of Scotland been more worthy of their hire. Strict attention to business has now secured the almost perfect efficiency of the Court.

I fear we cannot serve both Comus and Minerva. Who could tolerate the habits and manners of many jovial counsellors of the last century? What must have been the danger associated with visits to the Supreme Court when a historian of Edinburgh just dead could write gravely, in reference to a passage near the Old Tolbooth of unsavoury name, that it was "famous for assassinations and personal encounters between persons connected with the Court of Session?" A farmer from the valley of Liddel would scarcely now submit in consultation to be stock for his counsel's bludgeon and to be cursed, loggerheaded, and loobied at every query; nor would a colonel of the Queen's Army think his fee likely to produce much wisdom sent to a counsellor who amused himself of nights at High Jinks, singing fescennine verses, seated on a table crowned with a bottle slider, and nearing oblivion by the aid of Gascony wine. Through several stages of improvement—from the era of assassinations

and the later age of belabouring humourists—we have now arrived at the age of business, perfect courtesy, and universal attention. Yet as the past in this House of business has made contributions to human happiness in a way not now possible, the reform is not all gain. I fancy there are men suffering from the force of the pressure to make them mere law-grinders.

A counsellor there was only yesterday the last to laugh loudly and have running fires of talk, but a sense of solitude seemed to oppress even his massive frame, and he was borne away. He joined the Faculty when some of the less riotous but quaint spirits of the first half of the century were still busy, and had their full-blooded vigour. I saw him on the first day he appeared in wig and gown.

It was pleasant then of a forenoon when the House had rich noises of contention—though very wide of the mark, much of it coming from fussy prattlers concerning “points” certainly not to be understood or settled by them,



from clerks out of breath impressing escaping counsel, and from idle babblers and gossip-mongers—it was pleasant to see moving in slow, well-measured paces across the oak floor the familiar and often antiquated figures of the Seniors of the Faculty; not then out of place there, where were congenial younger brethren. While these old advocates dipped into “Horace,” they might also gather in knots with delighted eyes over the busking of a march-brown, or as they hearkened to the last story, or the report of the merits of a flock of Cheviots likely evolved from the mouth of old, parchment-visaged George Dalrymple of Balmainthrapple. Dalrymple—his shirt frills hanging down over his waistcoat; his gown, a rag like a standard of the Black Watch, trailing over the floor—had a little crowd of leisurely habitants of the House waiting upon the flowing of his stores of anecdote, and the coming of his dry sayings. Some of them bore him company, too, in the wear of a kind

of old garment which may have felt the suns of twenty summers, and the rains of nearly as many winters. Dalry—he was a favourite with all ranks, from the judges to the last accession of an apprentice-limb, and had the honour of an abbreviation—was long great in conveyancing and agricultural questions. He was ready to discuss, without book, all matters of *a me* holdings, back and forehand rents, and rights of salmon fishing upon title *cum piscationibus*. He mingled Stephens with Erskine, Angus-doddies with quips, and five shifts with articulate answers to pursuer's statements. Correspondingly dressed, and with switch-badge of drover, Dalrymple and his clerk, who had also bovine fancies, might have been seen in vacation seated together in third class carriage, "gathering humours of the market." The Hebrew tribe must have long ceased to have an eye to the conversion of Dalrymple's outer man. He must have been an undiscerning Christian who could think,

on looking at that calm, saint-like face, that there was any need to call for a change in the inner.

At nine of a morning passing by St Giles's the tomb of the Reformer, and through the modest door—as beseems the avenue to the justice-seat of men—opening into the old Scottish Parliament House, probably the first figure which caught the eye—it was early, and “bairdly” pleaders lagged—was that of the tall, thin, pale, benign-faced James Playfair. It gave litigants courage and confidence to observe the combination of intellect, simple-mindedness, and kindness which his physiognomy expressed. Either victim of some rapacious damages-seeker; or a glad adventurer after “golden joys” (a great succession looming), for whom the atmosphere of the court was sweet as the almond groves of Valencia in a spring day, the voices of the judges musical as Apollo's lute,—the suitor, albeit poor, was of the belief, looking at Playfair, that he would

have justice. The vulgar stranger might have set him down as of less account when he wore an air of passiveness sometimes seen about him out of action. He was fully, for his own wants, employed by the solicitors, and did not need to adopt that venial form of affectation of some brethren with whom he consorted, of pleading, in a pompous gait, the holding of the higher honours of the bar by a brow to which the gods had set their seal than by the tokens of an attorney's regard. It was not disappointment in professional practice, nor was it ill-health, which caused him to look at times supine. He was solitary in his great house, where he had dwelt nearly half-a-century alone, receiving persons at consultations. Not a cat pawed it. I imagined that his passions were weak. In early days when he had little employment, yet reckoned his person and acute mind as valuables, he was seen often to accompany, on horseback, the beautiful E—— M——, who married subsequently a London

merchant. This disappointment weaned him from side of the sex, and, without bitterness he lowered his estimate of the "angels." In collection of the mishap, I fancied, preyed little on him now and again, and dimmed the smokeless fire of his eloquence before the jury.

That sort of goodwill which may do nothing but live—yet lives out of your presence, for time, as in it—and which takes men of understanding before the quick warmth of generous fellows, Playfair possessed largely. He was true; and would do a kindness for you, unknown to you, and you months gone "away on the billow," or years in "further Ind." An unambitious temper kept his fine intellect in obscurity so far as politics, advancement to office, were concerned. It also made him the prey of solicitors, who appreciate good-nature in counsel, and are solicitous about getting good and cheap work: their experiments with claimants who ha

much to gain without a possibility of corresponding loss. The litigious Duncanson sent him a memorial of eighty pages of matter, and fourteen queries to be answered, enclosing a fee of one guinea, "with respectful compliments." This was too much even for Playfair. He answered the first query, and bracketing the other thirteen together, replied that these "required further consideration." Yet it was known that the day following the return of this brief, Playfair bore, himself, to the judge, the guilt and shame of some wild interpolations in a defence which Dunc. had added, unknown to him, after the draft had left his hands. I liked to have words with Playfair. All men did. The last time I spoke to him was in the sea at Portobello, where I met him pretty frequently refreshing the drooping spirits. He died a few months afterwards. Who could imagine the impalpable feelings of a bathing-coach keeper melting over the remembrance of a customer long gone from the

possibility of ducking under the wave before his rickety chamber. John Orrocks was in tears to me last summer when I mentioned to him the name of James Playfair.

Barristers, like players, may I suppose be *brief* chronicles of the time. Malcolm Monypenny Buchan in his day represented a phase of social life of the period well. He was an inveterate joker, and began to be famed for wit when toast, sentiment, and song, and frolicsome merriment, were still looked for. Buchan was an able lawyer; but his obsequious person, the catching expression of his broad open mouth, and the raised outlook, mirthful eyes, did not correspond with the refined notions gaining as to the "correct" person and bearing of the sons of Themis. He seemed always looking for subjects for his mirth, to have a pun rising and a jest struggling for the air often at the same time. Buchan was a sort of bird of prey; but only to play, in passing, with the object. It may be supposed that his quarrel

did not take his jests well. But as there was nothing malicious, and little sarcastic, in his merry temper, he was commonly a favourite, and was the chief delight of that large portion of the town which appreciates wit. He has no successor. One is never now accosted by Jack Tickler or Tom Wagstaff with the query, "Have you heard about Buchan?" Buchan supplied the town with jokes. He was rather of Sydney Smith's kidney than Talleyrand's. Had Charles Lamb seen him with his own countrymen, that delightful and paradoxical Londoner would have changed his opinion of Scotchmen. It was necessary "to speak on the square" with Buchan only in this way that it was a relief to the overflow of nonsense. At the party of North Britons where Lamb on being told that a son of Burns was expected expressed a wish it had been the father, Buchan would not have annoyed the gentle Elia by starting to his feet and saying, that was im-



possible, for Burns was dead. He would have said something to the effect, being irrepressible that *lamb*s have more need of the *sun* than *burns*.

A still, "silent" wit may bear keeping; a William Galloway Angus said many things which would stand the test of print better than Buchan's. He was refined and gentlemanly albeit the son of a poor country shoemaker whose hope and pride he was, particularly in days when the bar was supplied by "the scum of gentlemen." He probably owed the comparative neglect of his undoubted talents to his humble birth combined with a steady air of defiance, which most people find disagreeable even although, as with Angus, it be a gentlemanly defiance. It did not peep out like men's weaknesses, but shot out bright as the Aurora, the flashes of which it resembled rather than the lightning, as it was never in its danger. In Angus's good-looking face stood an open acknowledgment of his non-recognition.

tion by the great world, and a studied indifference to it. Angus, it must be said, was a humourist of a kind now very uncommon ; he was ready to indulge a humour of independence entirely at his own cost. He would not sink his opinion at the bidding of a more influential Senior ; and had latterly to be fee'd where a single counsel on each side could be employed. Had he been able to repress in consultation his love of cranks, he had had more employment. Solicitors are not humorists always in the mood, and, in stern intent, they had to avoid Angus ; who had eloquence at command for the bar. His eloquence was a little apt doubtless to fail sometimes when exerted upon trivial occasions or accompanied by a pressure of the grand manner, which did not always come well from a figure not imposing. Curiously enough, when he was pleading he was very grave. One or two of the judges would sometimes be seized with a fancy of parring with the wit ; but he would raise his

arm and intimate that he refused a jest wh  
soliciting justice in the Sacred Courts. I  
could be goaded, however, into spinous an  
scathing rejoinder at the rude jests of Ardn  
murchan, for whom he seemed to have sor  
antipathy. Ardnamurchan was famous enoug  
when at the bar for lapses into the fictitio  
both in statement and law, and would try  
trip counsel when not well justified. "M  
Angus," said my lord, "is this the fact? is  
the law? All seems strange to me." "Trut  
me lord," said Angus mildly, "must be strang  
than fiction to your lordship." At anoth  
time, Ardnamurchan threw a wipe at Ang  
for his inability to cope with a pressure  
work, the excuse for which (it was in th  
depth of winter frost) was something goin  
wrong with the light. "Mr Angus," said m  
lord, "when I was a counsel I would rehear  
in a room dark as a well, and away at th  
very top," here he stopped short, noticin  
by the heightened expression of Angus's kee

Q

eye that he was already caught, and muttering "of my house" under his breath. Angus waited, and turning round—as was his custom when he had a good thing—with emphasis nowhere, said, "I would have preferred the bottom of the well, me lord." Could Angus have been only plain he might have reached the highest dignities. He was the son of a poor country shoemaker. "He must be a strong man," said Bacon, "who is always natural;" and the most dangerous form of naturalness is when people find excuse for mistaking nature for affectation.

In these days the thick-set figure of Melville, whose "receptivity" was known to have suddenly given way, received attention from the conspicuous supports of the other members of the "triumvirate," who clung with tenacity to the battleship that had long served them, and was now little more than a war-stained hulk. One was the eagle-eyed Edmund Halliday, a country solicitor, whose

orbs and beak seen for the first time arrested you in the press at the tolling of the Division bells, and haunted you during the troubles of a miscarriage of an enrolment in the Single bills. Halliday seemed too fond of the work of the litigant to profit by it; neither could I imagine a client to be the richer for his championship. War, not justice, was his passion—fighting inch by inch, unconsciously generally of the substance of contention. The subject-matter was nothing to him. It might be the riddance of a claim for ten thousand pounds; or the fervid utterances of Melville concerned only the first shot in a war for the restoration of a washerwoman's fender and fire-irons. He would play the great rôle of Hercules and Ajax, by destroying "the oppressor," or engaging in combat a harmless crowd. He would spend a day in contention for the wages of a domestic, and at night send himself alone to petition the Legislature for imperial justice. He was regarded as a dan-

gerous opponent in more ways than one. In presence of the Sheriff he would knock his opponent's head with the papers of the process if he failed to convince with the arguments in his share of it. But Halliday would heal the contusion of avenging justice by a handsome entertainment to the whole of his professional brethren. The *degagé* attitudes of Parker, another solicitor, who took the left of Melville, did not inspire the public of the metropolis with confidence. Suitors pressed in the chambers of Halliday for a quarter of a century; but Parker's door-hinges were freed of rust by no troubled citizen. "Nothing pleases the people more than seeing a straw balanced on a man's nose," said Lien Chi to the Man in Black. There was something suited to every apprehension in the sight. Parker could not balance a straw on his nose. Halliday could put his hands violently through his hair, and exhibit a countenance contorted as that of a third-rate Mar-

cellus at the visits to the glimpses of the moon of the buried majesty of Denmark, all at a client's exhibiting nothing more serious than a summons for fifty pounds to answer for the bite of his cur. Yet Parker increased his little store, while Halliday accumulated no wealth. Parker was probably the best manager of a lawsuit in the Parliament House. Three firms in extensive business in the provinces employed him, and saw that his processes would succeed beyond their deserts. He was an oddity, only that he concealed the show of his capacity.

“Happy the people whose annals are tiresome.” Peter Collie’s biography might prove what truth there is in the aphorism of Montesquieu. He had an extensive practice, and was an able counsel; but one guilty of getting maudlin would not excuse himself that recollections of Peter Collie came over him. His weaknesses, as I knew them, were of the practical-worldly and other-worldly

kind. It was said that he let it be known that the fire of his oratory glowed according to the amount of gold put into the crucible by clients. Yet as no one can preserve an uninterrupted course of devotion, and lovers of Mammon can be at times more sick of their god than are the lovers of Minerva, so Collie was known to have abjured once or twice. Old Dives, who had married a young wife with a complexion whose roses other men had, he suspected, too wantonly admired, and of whom he was still fond,—presented to Collie a memorial of the evidence he had gathered. Collie threw away a rich client with the following advice: “I am of opinion (firstly), that the memorialist should, after the manner of the learned Gaubius, gradually, unknown to her, reduce his wife to a model of decorum by phlebotomy; and (secondly), that the memorialist, in the treatment of himself should act according to the advice of Walter Shandy, vol. 8, chap. 34.” Dives, in the absence of



his solicitor, had got the opinion from an office boy.

That opinion was not copied out by Collie's clerk, Thomas Glen—a character. With the amiable trifling of posterity in the mass, who will treasure the memory of a man for a single foible, and sink it with twenty virtues, Glen is now referred to, I suspect, only for having been a most excellent judge of the quality of the edible inhabitants of the ocean. Glen was a fond disciple of Walton, too ; loving fish and to hear of fish of all kinds. I have seen him in his later years sit at table for half-an-hour without saying a word, and then surprise the company by his eager tone of asking his next neighbour, from Crieff or Brechin likely, if he had a fish-shop in his town. An answer in the affirmative would make Thomas brisk as a bee for the rest of the night. In one of these little towns—his native place—to which he was in the habit of retiring for the summer months, he managed to introduce two fish-

mongers, and invited company to test the values of the piscine commodities of the rival dealers. After much particular testing on his own part, a John Dory seemed to decide the favourite. With infinite "pomp, pride, and circumstance," seasoned with drollery, his dry, well-sustained throat pronounced the award, "Robbie has it!" Glen was a good clerk, and there were those who said that his love of fish was an evidence of his temperate and well-balanced mind. In this respect, of coolness of judgment, he was of great value to Collie, who had a proclivity to recklessness if he thought he had a thick-headed judge or stupid jury. Collie consulted his clerk, and judged of Glen's opinion much by the extent of the gravity marked on his face as the employer spoke, and by the attitude and movements of his head. A shake of Thomas Glen's head had caused the pleader to stop short several times during their connection. The amanuensis would hang about the court-room doors, and learn

from others what was going on within, when the Senior was understood to be speaking partly according to preconcerted mode of treatment. You would be treated to an account of the state of the Tweed yesterday only if the speech was known to be thorough to the manner.

imagined Glen saw that his employer sometimes rose to resentment of his penetration and would then have been better pleased with a mere pen-holder and paper-coverer; and he was wary. Glen was never married; and having no near relatives, did one of the most sensible things with a fair slice of his fortune I ever knew. About sixty-five his rotund figure fell away and drooped, yet still he liked to sow his little corn upon rich patches, and delighted to see "good fellows" enjoying themselves at his cost. "He did not intend," he said, "to leave his money for the stuffing of striplings with learning which they did not enjoy." On James Dugald, a comic fellow, very worthy having taste and some power of writing verse

which he sang finely, had long amused the plainly-fashioned Glen. James had suffered a little badinage from his friend, certainly on this side rudeness. Two months before his death, Dugald was seated alone with Glen—when the latter had been at his banker's—"I owe, Jeemie," said the man of few words with an effort, "I owe a great deal to these songs of yours, man. I hold myself your debtor, for I've given you no return but this bundle of notes," shoving a thousand pounds into his pocket. I recommend this mode of rewarding the sacrificing sons of the Muse who have contributed to the good humour of mankind, whether they have written verses or not.

Neither Robbie nor the rival throve after the death of Thomas Glen, and a cadger's horn is, alas! now the substitute for the fountains which used to play in the windows of the competing caterers at the coming of fresh boxes from the sea. When the horn is sounding in the summer air, the burghers will yet

turn round, and seem to wait on some expected judge of the silvery contents of the cart, who never comes. It is Thomas Glen.

My "incondite reminiscences," "first a readiest means" in the memory of a scene of other days, not yet given up to tradition such as might be related over a walnut—may be accompanied with shadow.

Some of the "twilight of dubiety" ought to hang over each brief sketch of men remembered because of some oddity rather than gifted with perfect qualities. They were men reckoned the favourites of fortune. Foibles—venial foibles—which must be humoured sully to the world of the time the parts of germens of talent, and prevent the receipt of highest rewards and applause. But its favourites, whose time is devoted to the pursuit of fortune, dare not hope equally to live in the pleasant places of futurity, the nooks and crannies of men's minds. These are reserved for the children of their genius; for our aff

tions are bound by the touches of common humanity. With all material progress, reform of creeds, and march of intellect, men will still be found to take some delight in themselves, and in traits which to great moods are "unconsidered trifles."

*THE TENANTS OF BEN EACHANN*

THERE was wrath in Cairngolloch Lodge. Ronald Macwhanald Fitzrobins, laird of Glentonald, who had seen twenty-three springs chiefly in the metropolis of England, had been enraged for some time with the crofters of Glenscuffel. He had inherited the obstinacy of his maternal race; and had, some months prior to the shooting season, directed, contrary to his lawyer's advice, that the remainder of the clan Macra—children of the dew—should be evicted from their homesteads. The children had also inherited the obstinacy of their race, not acknowledging fealty to the Macwhanalds whose possessions (except the Macra's small country) lay forty miles down on the low lands. They had shown a decided preference

for remaining in their picturesque glen and fresh native mountain air to removing to the back slums.

Most of them had been got away by the 1st of September. One Alester particularly—an interloper who dwelt with his dog Roskeen on the slopes of the high and rocky Ben Eachann—was not gone, and did not apparently intend to go. The blood of the Macwhanald boiled over this gainsayer.

The last of the Macras were not to go down the glen till the new moon. It was forty-one days, the morning they began to leave, since Alester had been taken in his usual trance ; and on the forty-first day he had been accustomed to come out of the dumps and be lively once more with his adopted people. They failed to arouse him before the hour of their enforced departure. Yet as men, women, and children followed in mournful procession their homely chattels down the long glen, one and all looked up towards the grey Eachann and felt their



blood thrill as they imagined the resistance oppression which might be made by the proaged Highlander. He had come among the unknown, with Roskeen, many years ago, bearing over his side a large wallet, which contained the crumbs of some cheese and bannock, and, as was afterwards discovered, the books—the Bible, Shakespeare, and Ossian, and, curiously, a few articles of household plenishing such as are known only in “genteel families.” Alester sung of the desolate walls of Balclutha. Three hospitable Celts, who led the supposed bard up to the abandoned cottage of Ben Eachann, looked to his frenzied eyes turned towards the stars, and whispered to each other that he was mad. But as next morning they patched the walls of his residence with boulders and divot, warmed its cold inside with reek of peat, and knocked up with deal a bed-place, the kindly sons of Macra believed that the new comer was a refugee from the toils of the wicked world; discovering an intelligent

which went beyond their comprehension, and an ability to labour which exceeded their own.

During his long stay, Alester had been subject to these trances, or fits of abstraction and dumb melancholy, usually before the approach of the shooting season. About the 12th of August he appeared to awake, and go into another district. For five or six days he would be absent ; and then, at the close of that period, travel-stained, but fresh-coloured if thin, he was seen in the afternoon waiting at the turn of the glen which led to the crofts of the Macras. There, with Roskeen seated on its haunches, he would stand waiting for the coming of the young men and maids ; there as they came through the heather he shook his frame free of the last remnants of pain with hearty laughter ; laughter so loud and prolonged—yet very human—that rocks re-echoed the sound, and the birds took wing into the air. The bard whom they loved was again convalescent ; and the young Macras laughed

first lightly in wonder, then heartily in sympathy and complete sympathy.

Such laughter as was the old man's was not to be sustained on cheese crumbs, bannocks, water, and Ossianic poetry. Sundry pieces of deer's flesh, braces of grouse, and hares, which mysteriously found their way next morning early in some of the cottages of the Celtic pointed to certain agreeable physical applications as promoting the health of the tenant Ben Eachann, and giving volume to the expression evidently of some sense of victor working in the old hero's mind as he stood at the confine of the northern possession of the son of the Macwhanald.

A pastor who visited the Macras once a week, but who knew nothing of Rochefort could, had from Alester, by way of rejoinder to a moral discourse, this, "He who lives without folly is not so wise as he imagines."

"Belsher might do for Alester," said one of a party of six men assembled at the board of

the host of Cairngolloch. "He could *liquidate* the Celt."

The youth addressed was understood to be enriched from the profits of a Scottish distillery, which was said to send barley-bree-Cognac to France. The burning liquid appeared to have returned even "to plague the inventor;" for it was said that under the irritation caused by a drink of it, Belsher had acquired that seemingly purblind eye which injured his handsome face. A slower poison, however, was deemed necessary. Combustion was speedy and effective, but entailed police inspection.

An owner of ships, Cocker, was asked to provide a boat of his firm's maintenance which might be placed on the Loch, and the tenant lured into it. He would then, it was believed, go out of sight.

Fitz himself, who knew his rights, sat mourning that he had no longer power of doom and death like the old Macwhanalds.

With the statute of honest Malcolm, which destroyed the power of the lord over vassal-  
brides, had begun the inroad of democracy.

“Curse the people,  
Blast the people,  
Damn the lower orders”—

was the refrain of his song this night in the Lodge of his maternal fathers. He proposed that Alester should be brought to trial before himself—the chief of the Macwhanalds and lord of the country of the Macras.

It was certain that no one present possessed pride of intellectual worth. It was not thought that the aggregate mind of the batch would make up the sum of learning in economy required to convince the Highlander that he was a bar to progress. So, though they all went to Ben Eachann, it was understood to be to enforce, not to persuade.

Their general physical aspect was, as they sat over “Balmoral mixture,” or smoked Coke’s best, not unattractive, though they dis-

sipated. Justice had not deprived them of any members of the body, nor combativeness (save in Belsher's case) given pause to the growth of a nose-cartilage, closed an eye, or scarred a brow. But inwardly they affected to be weary, uneasy, and condemnatory of the world and its inhabitants, and even of themselves. The oldest man was but twenty-three; there was one nineteen: the one held no convictions; the other affected no purpose. The most intellectual maintained he had no reverence for Moses and the prophets; the least pronounced all poets, from Homer to Tupper, to be drivellers.

The cottage of Alester stood, or reclined, on the other side of the hill which faced the Lodge to the west. The moon rested now solemn and bright over the hill's blue top, sending beams down into the purple valleys.

The prostrate Celt could not now see these poet-messengers of peace and promise; and what peace and promise might sustain the bare

living of his once jocund heart must be the lights of other days.

The levity of the party did not leave them, even when in a moment, in the twinkling of an eye, as they descended the hill, one and all pronounced the word—"Mist." Steep crags and deep lochs were about and around them: they still held downwards. In half-an-hour, strange to say without hurt or pause, they reached the cot. Some love-tokens had apparently just been set down in the doorway by the last of the Celts to leave their old home—such as a can of goat's milk, a basin, fire-irons, and bellows. The group, at the halt, did not look, but listen.

Above the sough of the wind over the heather and long grass, and as it moaned in the pines below, came the sad music of the Gael; then the cry, the solitary cry, of a human voice pierced their ears, as they stood. It came from the cot. Again the pibroch sounded. The voice was silent.

No one spoke. And in little time they listened only to the wind. Within that quarter of an hour had passed away for ever from their glen and from Alester, the last of the clan. They had gone from freshness and innocence to the world ; exposed now, in poverty—to he hoped not unduly to sin and shame.

The party hesitated. The smallest man leant upon the rude wall in such a way as to indicate that the pressure would make the tenement topple over with its inmates into the loch below. But the wit, where observed, gave offence. Probably no one confessed even to himself that he was much moved. Still, the feeling towards the tenants was humane. The social impulses of each one were always keen and strong. Fitz said it would be ungracious of him to rob them of the only change of society he could offer them within forty miles—especially by setting it adrift at 1 A.M. As he finished his remark, Neil, a



shepherd, the last lingerer on the hill, engaged attention. He was understood to say that, the period of crisis with Alester had passed, and that he had not "leughed." Fitz reflected over the information at first with a puzzled stare, and, followed by others, approached the hovel; Neil being further interrogated.

In a low wooden bunk, partially covered by a thin Scotch woollen blanket, lay Alester, and Roskeen at its master's knees. The Highlander was on his back, in supine heedlessness of all intrusion: disease was aggravated by the departure of his people, the paralysed condition of the dumb companion of his old age, and his own solitary situation. His great bony hand touched lightly Roskeen's withered neck. His thick white locks and beard lay dishevelled over his face and throat; the large, open, still, dreamy eyes almost hidden, as if they might close to view even the little world of his rude cabin save the last poor half-living creature remaining—not now

to joy in his movements any more, if any gladness should ever visit him again. Life had been "full of seriousness" to Roskeen. Almost yesterday a mouse stirring would yet have set eyes and nose into an ecstasy. It was a curious, very curious dog. In wagging of a straw it would see cause for deep suspicion. Its tail wagged from trifling movements of the master, and "wrestled against impatience" in its sleep before the twelfth. Now a pack of its species at the door, a "covey" within the cot itself, would not have disturbed Roskeen. Concerned with its master alone—it coiled before him as the last enemy was near.

Placing his dripping bonnet upon a shelf, and stirring the embers of a fire of peat and brushwood, Fitz sat upon a log which served as a stool at the bedside of the tenant. He spoke—I should say with kindness—but received no answer. It was bewildering when a laugh might be waited for that a whisper would not come; but he would be patient. Meanwhile the others

of the party, who were not men to stand and gape, and possessed that order of activity which is pleasant at a funeral as a marriage, bethought them of an inventory of the plenishing, which they went quietly about. Alester was "a mysterious party," "a vitious intromitter," and a "violent profitter," Elchies (supposed student of law) said; and that work was necessary. Besides, speech of some sort from the victim of *melancholia* being necessary to his convalescence, the uplifting of his plenishing might induce him to utter a word or two—perhaps even to laugh, since humourists had a sense of their own ridiculousness. The effects were indeed odd as those of the tenant of Ben Eachann. Among them were a fowling-piece of Bond Street; a powder-flask of Mortimer; a deer's foot, silver mounted; a wood-cock's wing (for busking trout flies, it may be conjectured); a once white hat, containing moss with defunct worms which in their animate condition were known to be

well-pleasing to the fishes of the lochs ; a game licence dated twenty years back ; a salmon rod ; a trout rod ; a fowl-carving knife ; a fish-slice (silver) ; a tooth brush. Cocker, who with others handled the effects as Elchies named them, held up the three last-mentioned effects with irrepressible comicalness, which was subdued instantly as he looked on the strange disciple of Epicurus.

Singularly enough, the books were not conspicuously catalogued. Balder, of nineteen summers, had "taken a note," and written "Ocean," "Chesepeare," "Sorto-re-Sarkus," in the dim light. These proceedings were brought to a close by the discovery by Belsher of a bundle of printed records of law papers, which exhibited the pugnacity of the tenant by the circumstance that for one action at law raised by Fitzrobins (father), there were three counter-actions at the instance of Alester. This was a touch of nature which carried the prostrate Gael immediately to the bosom of Belsher.

He approached the bed with the records high in his hand. Something in the old man's look made him start. But he instantly recovered, and said, "He'll fight—me—the game old cock," and went outside. There he pulled off his coat and up his shirt sleeves, affecting an attitude of serious alarm and suspense. "He's coming out—Alester—to fight." Gregory, who felt other pulses as well as his own (late of an afternoon), gave it as his opinion that there was blood in the old man. So Belsher cried, "Alester! he'll fight—the game old cock." It seemed a relief to the party of devastation that the adversary should show blood.

It was late in the morning, and the sun was rising over the highest peak of the mountain range, as the six men sat smoking on the heather in front of the cot of Ben Eachann. Belsher heard the door open quietly but quickly on its rusty hinge, and looked round. Fitz's face looked out, bearing such a woe as might be a mother's at the destruction of a favourite

member of her brood. Belsher ran forward—"Has he spoken?" "No!" was the reply. "Laughed, then?" "No." There seemed a reluctance to divulge the secret of a pain which Fitz was a little conscious of exhibiting. "What?" asked Belsher. "Rosky's dead!" Belsher smiled—a smile of relief it proved to be; yet a sad one. He was sure Alester would fight—the game old cock.

The duty of effecting the interment of Roskeen naturally fell, in the condition of its master, upon the next neighbours—the dwellers in Cairngolloch Lodge. At four o'clock in the afternoon they proceeded to Ben Eachann, Fitz and Belsher alone entering the cottage. The remains still lay where they had been left at the side of the master, whose hand rested heavily upon the body, his face buried on the low-set rags which served for pillow. The others outside had considerably dug a hole on a mound accessible to view from the bed-stead through the "bole," which was in

summer an open window. The work of removal was effected gently ; and the burial was completed without a jest, scarcely with a smile. Roskeen was consigned to the tomb in the presence of mourners who in its life might often have interrupted its ease, if not, under irritation, brought it to a premature end, and might now find this last misfortune of their friend not altogether displeasing. The mourners felt this ; knowing too that humanity also had in its time been so served, and Rosky's honours were perhaps no more equivocal. "*De mortuis nil nisi bonum*" was all the oration at the grave ; with many bones of certain valued beasts of the field and birds of the air lying conspicuous and suggestive in the loose earth.

There was no discussion as to what was to be done with the surviving and more important tenant of Ben Eachann. A suite of two rooms was at once set apart for him at Cairngolloch, to permit of which Fitz and Belsher slept together. Each one of the party was as inte-

rested to hear his voice in speech or laughter as they had been interested to hear the last prima donna in Covent Garden in “*Il Trovatore*” or “*La Somnambula*.” It was impossible that the party could go dully about the work of removal and introduction to the Lodge ; and some playfulness, of which the Celt was apparently quite unconscious, was only to be expected. After some clever scrubbing of cloth, and putting to rights in the cottage, the tenant was dressed and carried to a litter which had been specially constructed to bear him down hill.

The white hat, and an old jacket and kilt, duly furbished, looked pretty tidy. He wore these articles of attire. Behind in the procession came the bearers of the chattels. One had constituted himself librarian to the Lord of Ben Eachann ; another, who carried the gun and powder-flask, was known as master of the sports ; while a third, having the fowl-carver and fish-slice, was dubbed the lord



steward. Beyond these slight evidences of levity, gyrations in recent grooves of humour, perfect order and seriousness prevailed.

Whatever could be done in the process of renewing the vitality of the old gentleman must be done quickly. Gregory had undertaken to treat the patient scientifically; but of science, and especially of diagnosis, Gregory knew but little. How to make a man laugh when he appeared to insist upon dying slowly of silence and starvation, would have puzzled a wiser head. What laughter was, and why this patient required particularly to laugh, were recondite questions. He had made men laugh (had they not laughed at him ?) he had made children laugh by throwing shadows on the wall. But now he was called on to provide laughter as he might provide mercurial cathartics. *Hydrargyrum cum creta*, *pilula hydrargyri*, and the anti-phlogistic regimen, proposed to be administered by Gregory, were scouted by the rest of the party, who, in their own

practice, reversed the famous 'Frisco rule which forbade the consumption of spirits on the premises except when suffering from a sense of discouragement. At Cairngolloch they drank whisky because they suffered from having no sense of defeat. Younger counsel prevailed. An effigy of Fitz carried on a pole, and then burned (as the original sinner) before the newcomer's eyes gave more satisfaction, as likely to excite the risible faculties. This was followed by a flight of pigeons out of a box set down at the patient's feet; a terrier fight; a rat worry; a wrestling match between the fattest and leanest man of the company; a drawing of corks marked "Roederer's carte blanche." These efforts were understood to be in keeping with the general conception of cause and effect in the production of human laughter, but they failed to excite a smile. It was provoking, as one man after another came round the Lodge to the shade where the patient was set, and put the query, "Has he shown tongue?"

“Has he laughed?” to be replied to with an everlasting “No!”

That same evening Fitz was little seen. Late, in the moonlight, on the borders of the peaceful loch, he was alone, drawing upon memory. This, then, was the same Alester, supposed by his father, Fitzrobins, to have committed suicide after ruin from inability to proceed with thirteen actions at law to defeat the strong purse of the merchant of Fenchurch Street, and whose imagined death had sat upon the conscience of the stickler for rights of shooting and fishing over Alester's small possession—all the stake at issue. So Alester these many years, in defiance of the fates, had drawn his sport and his game from the old preserves! As Fitz sat, Neil, with knapsack on back, passed on his way down the glen: his voice shaking, and he not stopping as he addressed Fitz, the Highlander said, “She'll not leugh; no; not at all, now. We return no more.”

The last four words were in Gaelic ; Fitz knew them not, but rose in sorrow.

A doctor of medicine pronounced Alester to be insane. Yet the old man seemed to thrive after a fashion with the youths. He was tractable as a child ; and they watched and waited, with a strange odd tenderness, upon his senile passiveness. His food consisted of liquids ; doses of soup, got after some days from specimens of the *genus lepus* in the low country (with whose flavour the patient was presumably acquainted), seemed to fatten and darken a little his thin and pallid cheek. His hosts would never cease the belief that they would communicate to the once vigorous Celt some spirit of life, which, in their own wealth of it, they could scarcely imagine about gone in him.

Belsher could see no immediate prospect of "a spar." Some memories of past contention might be awakened in their patient by the representation of a fight in the Law Courts. Judge, jury, and witnesses were chosen.

Belsher saw that there was to be a mim justiciary trial in which the panel to be arraigned at the bar would likely be Alester himself; and Belsher became grave and said, "You see he isn't there—Alester isn't there. If he were he'd fight—may be with arms. As he isn't here, nor there, I'll fight for him, fair and square."

The jury, however, intimated that, without a hearing of the case, they had already agreed upon their verdict: they found Alester "not guilty" by the law of nature. The chancellor of the jury, bright with the recollection of a school scrap from Gibbon, to the effect that the savage could not with justice be deprived of the game slain by his personal dexterity, was determined to apply this knowledge in defiance of all possible direction from the judge. Belsher laughed with great gusto, and expressed his approval of the verdict; the law of nature having his entire admiration.

Some hopes had naturally been entertained of literature. Of an evening, for an hour before

being taken to bed, Alester would be seated with his back to the party looking out to the shades. Belsher was a little unfortunate in his first attempt to bear the spoils of genius in the Ben Eachann library to the ears of the sick man. He read "The Everlasting No." But Belsher's approval of what he understood to be good and practical, as well as sacred, wisdom was very real and hearty, if curious to the ordinary Christian. Happening next to read aloud the New Testament injunctions as to the conduct to be observed towards a trespassing brother (18th chapter of Matthew), he smote the table, "Now, that's good, that's good ; prevents bad fighting."

Addressing Fitz, he wondered if they might be Christians. Perhaps such simplicity was not altogether lost upon the older and sick child of humour.

Generally it was laughter—laughter untutored and given to abandon—that sounded in the old man's careless ear. Sometimes he

might have heard a comic song had he wished been able to listen; but in his presence "The poacher's lament," "The waggin' o' our do tail" (the composition of an eminent Divi notwithstanding), and even plaintive melod bearing such suggestive titles as "He's owre the hills," or "Owre the heather," were voted to offensive. The comical element in the material prepared at Cairngolloch Lodge for the reputation of *melancholia* in its oldest guest had likewise be finally abandoned. Strange that the native voice and music of the place were forgotten.

They set Alester down often where might see the full sweep of the glen, wh many a time delighted the most indifferent eyes to the beauties of nature. The warmth of the balmy southern air which play kindly about his white locks seemed revive him for the time. But when the young sportsmen exhibited to him as he sat, on the early return from the hills (thinking often of him there) the plumage and plumpness

wonderful birds, or brought rare bits of heather and wild flowers for his bonnet, though they spoke always with the deference and kindness due to age, the words came somehow more to be adapted to childish ears. The speakers acted so, unconsciously, in presence of the infantile complacency of his deep blue eyes; eyes too that like a child's seemed looking and waiting. No impatience was manifested of this stare into the beyond when it increased its duration. The garden flowers of that late region were daily set before him in all their profuse splendours; birds were brought to sing at his window; muirfowl were near to break the silence when he was without.

Nature had ceased to move him. To him the rays that made purple and gold on the vast hills for all men—there—were as unseen; him the pathos of the setting sun, and of the rising of the great autumn moon, touched no more. It was now discovered that his vision rested mostly over the hill beneath the cot-



tage where he had dwelt. There lay the graves. Around the "yard," the leaves of the pine wood were thinning, the moss on the low crumbling dyke was yellow, the broom and wild raspberry clasped each other in fallen tangles; for its summer too had fled. But there lay the old Macras.

The autumn in which these events took place was particularly fine in the Highlands of Scotland. Long excursions were made by parties into the glens, and hitherto places inaccessible to numbers were made the scene of camps. One afternoon when Fitzrobin had just returned after the absence of some days, and the old man was sitting out on the knoll which commanded a view of the glen, a sound came faintly for a time with the fitful south wind which resembled the Celtic music. It seemed to strike some still living chord of memory in the Highlander. Fitzrobin eagerly watched the moved countenance. Nearer and nearer the music came; then a band of men

women, and children appeared still far off. The pibroch was sounding. As the cry of the storm in the forest, the scream of the wind over the mountains, the roar of the billow on the rocky shore moved the heart of the Gael in his strongest days—that music gave him life now. And gave him death.

At the sight of the Celts, Alester rose, threw out his hands and cried: his breast heaved, and his once stalwart limbs were for a minute restored to life. He spoke (in Gaelic) and laughed—laughed a strange, weird laugh, which suddenly ceased.

A faint voice was heard by Belsher to murmur at the feet of the old man as he lay prostrate, "My mother's spirit will haunt me in the shadow on the hill." "You have brought back the Macras; and you've been reading Ossian, my man," Belsher said, as he grasped Fitz's hand; turning to what remained of the once strong Celt who, in the moment of joy, had passed away into the untroubled land.

*ARBITRATION IN QUASH LANE.*

SAUNTERING in Quash Lane on a May day, you are almost reminded of the opening of the beautiful description of *l'home*, given by the pretended Prince of Corsica to the Lady of Lyons ; midst sweetest foliage musical with birds, the inhabitants of the spacious villas of the Lane are privileged to dwell. It seems eternal summer there ; where great beds of sweet violets absolutely invite repose upon their soft odorous profusion, to lead the dreamer into forgetfulness of the necessities of thought and action, and of consequent duties and difficulties. Nevertheless, in this delicious region of retirement are several ladies and gentlemen who are in frequent conditions of rage against the order of things.

Mr Richard Dolphington, a bachelor, who had never been in business—a genial fussy little man who troubled himself to make his friends happy, and to bring about reforms for the general weal—came to have a belief in arbitration; the consequence of which was that he became noisy for arbitration: he stormed, with the indignation of an amateur in rage, about the stupidity of legislators for neglecting to bring about the salvation of the world by arbitration; universal peace and good-will among men were to be ensured by arbitration. It was in vain to urge that as respects civil justice, the system of Courts of Law established by the State was in truth arbitration in the best form.

While in the heat of the possession and promulgation of his views, Mr Dolphington had an opportunity of testing their value put in force in the ordinary affairs of life. A birdseller had made a great overcharge against him in the price of a silent parrot, and for

time occupied in setting up Polly's cage ; and Mr Dolphington, with great trouble, had got Messrs Muggins & Co. to agree to settle their dispute by arbitration.

On the day of trial he made preparations for a pretty lengthened engagement. The carpet had been lifted off his great dining-room, at the further end of which was placed a long table with a huge desk covered with paper. Behind this desk was the arbiter's seat, and in front of it were chairs for the parties to the suit and the witnesses, who were to repose in ease and not be bullied by lawyers. The latter portion of the hour before the "hour of cause," had been occupied by Dolphington and his witnesses in strengthening the inner man with roast-beef and ale, winding up, himself, with a stiff tumbler of whisky toddy. He remembered the importance which the great Duke assigned to good feeding in warfare, and was eager that the conduct of all the parties—on his side at least—should be marked by

physical comfort and self-possession, as well as the strong moral attitude induced by a sense of being in the right.

Dolphington had evidently grown somewhat nervous at the outset, as the hour of trial of his scheme was arriving. He was more nervous still, that twenty minutes after the hour of cause had passed, neither arbiter, nor plaintiff, nor witnesses had given signs of coming. Mr Dolphington remembered with envy the punctuality and authority which characterised the proceedings in Court when his causes were on.

"Ovens is late; I'm afraid we shall need another man," cried the disturbed defendant concerning the arbiter; nervously taking out and putting back his watch, and addressing Patrick O'Hara, his Irish butler and messenger, and chief witness.

"Yes, sur; sure too, afther ye've been threatening him so well too all the week long, sur," said Patrick, jauntily.

Dolphington looked dismally upon his chief witness. He found his digestion going wrong before a single outsider had appeared on the chosen scene of contest.

"It's very bad—grievous misconduct," cried Dolphington.

"Terrible!" added Mr Patrick O'Hara; who was dressed for the occasion in cast-off clothes of his employer, and had his hair well pomaded and his face shining with soap and water applications.

"Please, sir," said Jack Marrable, a small boy in a blue jacket, who had become sickly-contemplative after an over-stuffing of roast-beef—"A dinna mind the hours Muggins' man waus here." This was provoking, considering the drill the boy had received. Mr Dolphington put his head out at the window to look along the lane in a rather more chop-fallen state, and cried, "Ten, you little fool." He drew his head back hastily, with conster-

nation depicted in every feature of his usually happy face.

“Here’s Muggins & Co.,” observed the disappointed gentleman. “They’ve got six witnesses !” He himself had only three ; other two having politely declined to come, while one said he would, and had absented himself. “It’s distressing,” cried Mr Dolphington—“and Ovens, too, not come.”

“Sure it’s very moighty bad indade,” said Patrick, whose reflections were complacent, and were mostly about the remaining bottles to be consumed at the close of the trial.

“Come in,” cried Dolphington to a loud—a very loud—rap at the half-open door of the justice-room.

The permission was accompanied by the presence of the plaintiff Muggins—sole partner of Muggins & Co.—and his chief witness. Muggins the plaintiff was long-legged and cadaverous, and strode after the manner of Robert Macaire. He carried off insolence



in a brave way. The other fellow, his man, had the most irritating look of any living creature ; he was lanky, sore-eyed, squint and malicious-like, wearing overalls and a jacket of the same material, dirty and tattered. Dolphington had particular cause to dread his malice, for Dolphington had been seen by the fellow passing from the quarter of his domestics at a pretty early hour one morning. Meteorology had led Dolphington below stairs ; but the man who worked in cages had winked with his squint evil eye.

“Here, Mr Dolphington, you pay me that little account ; and take five per cent. off,” said Mr Muggins. The account was £12, 12s., and ought to have been 15s., Mr Dolphington said, not at this moment.

The defendant, with that *bonhomie* which distinguished him, and having consciousness of requiring to show token of that perfect amity which should reign in the bosom of every believer in the settlement of disputes

by the peaceful system of arbitration, had grasped the hand of the plaintiff Muggins.

“Mr Muggins,” said Mr Dolphington, “my good sir! we are to refer to Mr Ovens.”

“Oh, if that’s it,” replied Muggins—“that’s it,”—he did not finish the sentence, but looked to the man in overalls, who had an irrelevant but pungent satirical commentary about Mr Dolphington’s “up in the morning.” The circumstance had just been previously made known to the employer.

The man in overalls gave his head a strange ugly shake, and told his employer to “stand to it.” He had made a charge for sixty-eight hours’ time, while Mr Dolphington said he had only been occupied ten.

“You dar, sir—dar—accuse a respectable mechanic of fraud before his master. You—you, sir—Mr Dolphington!” cried the fellow.

Mr Dolphington really did, but he did not answer; and the fellow gave his head many

threatening shakes, and with his tongue uttered many Ahas.

"If this here is the way of going on, I'll off," cried Muggins, who surveyed the preparations with a contempt which was real and unconcealed. "If I am not paid, less discount I'll circulate my little bill in every house in the kingdom—with a history of the who *domestic* animals, their habits, and the Master's into the bargain."

"My good sir," said Mr Dolphington, "what I want is justice—justice between man and man. Mr Owens the arbiter"—

"Justice! justice!" ejaculated both master and man.

"Justice should begin *at home*," said Muggins; after both had ceased making well-known noises with their tongues, which indicated scepticism of an opponent's assertions and general character, which words are often inadequate to express. "Justice as is justice should live in *the kitchen* as the hal

for the peasant as the peer, and the British tradesman." (Here the tradesman held out his account in plain figures.) "I pause for a reply." He did not draw breath, however, and went on: "Is there no thought of aspersion, by these horrid ongoing, of the character of a man as has carried on for a quarter of a century a respectable business among the nobility and gentry of the land—who never disputed a twopence, but left it to them that maybe don't know their own grandfathers to make wappits about half-hours' time. Is there nothing to be said for a man as has made ornithology the study of his youth, the diversion of his riper years—that he must be slandered, 'cause a bird isn't free of all the ills that flesh is heir to; is"—

"Pray be calm, my dear sir," the defendant succeeded in saying; "you know you agreed to refer the matter."

"What has that to do, sir, with my insulted

dignity?" asked Muggins with one leg advance, and an arm in the air.

"Ovens is a fair—very fair gentleman and will put it all right," urged the defendant.

"I don't care for Ovens, I'm as good as him any day," cried Muggins, turning his back on O'Hara, whom he evidently took for the arbitrator. He curled his lip and turned his back on the Irishman with a fine disdain.

"My dear sir, if you will only keep your promise"—remonstrated the defendant.

This afforded an excellent opportunity for the plaintiff assuming a deeper indignation.

"Keep my promise!" he cried. "You say to them as keeps theirs—to them as don't give fine speeches instead of money, to them as is just in the *kitchen* and the shop as to himself. Is this justice when one of the parties to the suit comes himself with all his witnesses into the Court first, stealing like a thief in the night? Bah! the whole affair's

get up—a sham—a make-believe, it's a do, sir" (here Mr Muggins took up a quire of writing paper and beat the desk with it), "I repeat it's rotten, rotten, sir—the whole affair—a sell—a delusion and a snare; an' unless I get my rights, as sure as my name's Paul Muggins, I'll make a contribution to local history; yes, a contribution in which the *domestic* animals shall be remembered, Mr Dolphington, and their Master!" Mr Muggins paused for a moment before he returned to the passage, followed by his man, where he upset a chair or two and rolled Mr Dolphington's white and black hats upon the floor, besides causing the timepiece to stand, by the knock which he gave the table with his knob-stick.

As Muggins opened the street door, a stout, elderly gentleman, with a florid complexion and a very mild countenance, asked if Mr Dolphington was in, and if they were parties connected with the arbitration.

"Who are you, sir?" asked Mr Muggins,

with whom the grand manner had not yet had time to fall.

"I'm Mr Ovens, the arbiter, I believe," answered the mild man.

"Then, sir, let me tell you"—here Mr Muggins hesitated, and evidently changed his tactics. He thought he liked this man's look better than that of Sheriff Harding. "Now we shall have justice—now! Your looks, sir, show a just mind."

"Bless me! how late I am," cried the benign-visaged gentleman.

Mr Ovens made his way upstairs, while the plaintiff and his witnesses waited below.

"How are you, Ovens? how are you, my friend?" cried the good-natured Mr Richard Dolphington, as the late arbiter emerged into the greatly deserted hall of justice.

"They're below; they're not gone. Dear me! now it was that lobster you gave me last night, Dick; made me sleep in, you know." He was seated on a cane chair at the door, and

looked milder still. Evidently he had been chosen for the meekness and pliability of his temperament. "There's a very nice, tall, dignified gentleman below, waiting. Call him up," said Mr Ovens.

Dolphington led the arbiter by the arm to the great leather chair of the mediæval period, which stood behind the table with the desk and paper. Mr Ovens sat uneasily mopping his brow, and looked at the far corner of the hall at the spiders, whose obscurity he probably began to envy. The arbiter, however, had come charged with some facetiousness, which, according to his reading, judges were wont to throw athwart their dingy courts. The wit, and the manner of its discharge, having been duly prepared beforehand, and doubtless feeling surcharged, he was anxious to fire off.

"The animal in question," remarked Ovens, with a faint smile, putting down his mop, and nervously taking up half a ream of foolscap, without looking at a small, grey parrot with a



crimson tail, which hung dumb and wearily on a spar in a large cage permanently established in one of the windows.

"He doesn't speak," said the arbiter. "But mightn't he keep silence in seven languages, like Moltke?" asked the gentle wit at the defendant.

The only word with which Polly troubled the world was, "Wo-way," "wo-way!"

"Surely," suggested Ovens, "I have heard the name; is it not that of an ancient South American prince? May not this parrot, with this name still on its tongue, be a descendant of that one, mentioned by Humboldt, who was the sole representative of a lost language?"

With which speeches, which had been prepared as the arbiter lay restless with the lobster, he relapsed into his common condition of mild dulness. He then began to jot down notes of the arrangement of the day's business, of which he had no more idea than the dumb

animal in the cage. He thought he recollected what took place on two occasions, when he saw a judge on the bench. "Witness, do you remember—call the next witness," made up the only language of procedure which he remembered. He wrote down, "Witnesses called," "remember," "decision," and threw himself back with an air of ease which he was far from feeling. He had stayed with an old hypochondriac sister all his days, and was the last man in the world to choose to control a wrangle, or live through a scene with coolness.

"Call the next witness ; but, dear me, where's the plaintiff?" said the arbiter.

Here, with folded arms, the plaintiff returned to the justice hall. Mr Dolphington's face brightened, for he had been in great pain, feeling the failure of the scheme of arbitration about which he had vaunted so much.

"My good sir, Mr Muggins, what is wrong ?—now, tell me," asked Dolphington almost piteously.

“Put them slaves out,” cried Muggins, with one hand thrust behind towards the grinning witnesses of the defendant.

“Ah, *that* is a little irregular, our witnesses being in,” Mr Dolphington said with candour and apology ; with something also like a frown at the arbiter as an incapable person, since he had made no order of the kind, or indeed of any kind, that was rational. The witnesses were shoved out. “Now we shall proceed to business — business, Mr Muggins,” said the defendant with jauntiness. Here the plaintiff placed on the table a small pot of what appeared to be common butter, and showed an evident intention of leading the procedure entirely after a fashion of his own. The plaintiff took off the lid, touched the unctuous matter with the tip of his forefinger and looked at the “animal in question,” as if with the intention of healing it on the spot into a condition of loquacity which should outdo the powers of Babel. This

operation was observed by Mr Dolphington with the greatest annoyance and anxiety ; but he dared not speak, fearing a renewal of the plaintiff's eloquence, and the end of his hopes.

With the air of a conjuror and a great medicine-man, Muggins approached the habitation of the silent bird, making some cries meant for an incantation, with the intention of rousing its drooping spirits, it may be presumed. He stopped short, turned round and addressed the two gentlemen.

"All animals need the refection of mother nature. But man — woman — may simulate mother nature with love—love" (here the incantation was renewed, with the addition of some ordinary addresses to "Polly," and the application of the ointment to the membrane of the upper mandible). "He speaks—ah—he speaks."

"Wo-way," cried Polly vociferously.

"One minute more, gentlemen, and you will

doubtless be asked to take a cup of tea, your maternal parent will be inquired for, and that blessed period which introduces the festive season to Christian communities will be noticed. But pray, gentlemen, take to the other end of the room ; the bird is weakly still, having pined these weeks here, as it were in the solitary places. You frighten it. Even the great Macaw—gentlemen—I assure you, has days of languor, when he will only speak to the doctor. Polyphemus—my favourite Macaw—so called from being deficient of an orb, though he will ordinarily talk like an orator in a frenzy, has fits of languor. An artist must pay for his excitements with weariness. Strange bird ! worth a hundred guineas ! yet might sell him for fifty ; times being hard. Found him in a wax work, an exhibition going on in an old tabernacle ; where the proprietor lived. Odd bird ! wonderful mimic ! One Sunday morning, old lady was passing by her old church late, when she

heard her favourite psalm tune being sung —‘French’—and went upstairs, not knowing the new character of the place ; thought the congregation very gay, but didn’t see very well without her spectacles, though she heard fairly and joined in the singing, and very good singing too, she thought, though thin with such a congregation. She was seated between Mary Queen of Scots and Dominie Sampson ; but didn’t wonder. Yet, when the singing didn’t end with the verses, but went right on without stopping, as if they were going through the whole psalms at once with one tune, she began to stir and look up more keenly, and saw no pulpit or precentor, and then she saw—lo, who but Polyphemus : he was watching her as he sang from his perch, on the pole of George the Fourth ! ‘Bless us all !’ cried the old lady ; and sure enough Polly gave the benediction ; as she ran out and down stairs, muttering that the devil had caught her for

lying too long on a Sunday morning. Odd bird!"

"Strange bird!" said Ovens, the arbiter.

"Wonderful story!" said the defendant Dolphington.

Here the plaintiff Muggins bent his head over the cage, and a distinct, audible cry of "Take a cup of a tea," was three or four times repeated. Louder still the query was put, "How's your mother." "Merry Christmas" was then wished with a fury and shrillness which almost deafened every ear.

"Strange!" observed the arbiter. He began to suspect the defendant of being a bit of a humbug, now that the bird vociferated beyond the heart's content even of that individual himself.

Dolphington was puzzled, vexed, and silent. Fortunately his fuss always came to his relief. Nothing so much Dick liked as a ring at his door. There were always rings at his door. Looking now out of his window, he saw that

the ring which came to divert his mind from showing any symptoms of chagrin was from one Duckworth, an absent and valued witness.

“Here’s Duckworth, my old amanuensis; Duckworth will settle the matter. Duckworth knows all,” cried the defendant.

“To the —— with Duckworth,” exclaimed Mr Muggins, as there looked into the room a heavy-faced, pock-marked man.

Muggins felt sore that his exertions were not immediately crowned with success.

“Call the next witness,” cried the arbiter, who was at once prejudiced against Duckworth, but thought he said “first witness.”

“Call the old Nick,” said Muggins pretty loud. “The thing’s quite irregular. Not one of them witnesses can be examined. According to all the rules of the High Court, defender should have furnished me with their names—he hasn’t.”

Muggins’ knowledge of jurisprudence had



been gathered during his connection with the trial of his mother, a kleptomaniac, who had appropriated other people's washing-tubs, and had been fourteen times previously convicted.

"Ah! you see, Dolphington," said the arbiter, with a mild upbraiding gravity.

But the trial was not to proceed without the witnesses making themselves heard on their own account. While the principals were opening the case within, the evidence was proceeding in their absence without. In the passage the two sets of witnesses soon got mixed up, and were warm in their discussion of the first portion of the claim, which related to the time occupied in transferring Polly's cage from the one room to the other, and repairing same.

The noises of feet and clattering tongues in the passage suddenly grew deafening, and most alarming to the defendant in the justice room.

"Dear me!" cried the arbiter, now getting exhilarated in his unaccustomed position as the

central figure in a party who found exciting interest in the proceedings, "our noises are *polymorphous*."

"I'm afraid we shall have to postpone the case," said Dolphington heavily.

"No ; don't," said the arbiter, who had acquired a sense of the greatness of office.

"Yes, I must," said his friend ; in whom was sinking for the day all his good opinion of human nature, his hopes of arbitration, and of justice in this particular instance. "I have many valuables in the passage."

Here a terrible crash as of the falling of the great ancient clock and the mediæval tables was heard ; upon which immediately followed the crush of the entire body of witnesses into the room, preceded by the squint-eyed man in dirty overalls and linen jacket, who came into collision with the light-coloured and clean-kept meltons of Mr Richard Dolphington.

In the din, Mr Dolphington—forgetful for the

time of every loss in the prospect of the overthrow of his pet theory—was able to raise his voice and ask in stentorian tones a question of the undoubted Duckworth.

“Now, Duckworth, how many hours was the man at that cage?”

“I couldn’t ha’ seen him more than nine—of coorse, I left afore he was done.”

“Aha!” cried Muggins.

“Aha!” cried the fellow in overalls.

“The arbiter sees it,” vociferated Muggins.

“Where’s Jack Marrable?” cried the dispirited Dolphington. Jack could not be found; having indeed, during the operations of Muggins, been enjoying some fun behind the judgment-seat, from which place he was afraid to come forth.

“Now, O’Hara, when did the man leave?” asked the defendant in the voice of an ancient hero.

Patrick looked puzzled.

“Do you remember the 11th of December,

Pat?" interrupted the arbiter briskly, with the account claimed in his hands.

"Sure, sur, I don't," answered the witness, "I remember the 25th."

"Aha!" cried Muggins and man.

"I'll swear the man wasn't here ten hours. I seed him the whole time, and counted them," cried the other witness of the plaintiff, shaking his fist in the face of the fellow in overalls.

At this point the fellow in overalls put himself in an offensive attitude, and informed this last witness that he would beat him into a jelly, that he would thrash him like a sack, and would proceed to throw him out of the window. O'Hara rushed forward with the impetuous freedom of his race, and received upon his brow the blow intended for his friend, which he had no sooner done than he levelled the squint man upon the floor. The fight now became general, and was renewed with double energy, the party of the defendant having received the addition of Duckworth, who owned

a stout frame. Jack Marrable now was able to come out of his hiding-place, and hit the limbs of the foe with a couple of rulers which had been set down to aid in the peaceful form of warfare by means of the pen. In the midst of the strife and din the parties to the suit endeavoured to separate the combatants, while the arbiter looked over the window and cried "Police!" which disturbed the whole neighbourhood without bringing a preserver of the peace.

"Ugh!" cried the trembling Ovens, whose exhilarated mood had entirely fallen, as thump after thump played upon the bodies around him. "For heaven's sake, pay—pay the money!" he cried, "pay it ; or I'll do it."

"If it is your decision, Mr Ovens," said Dolphington, with a calm dignity, worthy of a greater cause.

"Yes ; yes, it is." Ovens thought his friend a confounded humbug.

Mr Dolphington made no protest, though he

was burning with fiery indignation against Ovens, whom he regarded as, without exception, the meanest specimen of humanity he had known in the whole course of his life. It would be breath wasted to utter a word of expostulation with him. So he put down the money upon the top of the account; a proceeding which had, as the plaintiff intimated it to them, the effect of drawing off the combatants.

Not much injury appeared to be done to the persons of the combatants. The fellow in overalls was still able to wink and leer, and inform "the gentleman who had disputed the hours of his labour," and had been obliged to "cave in," that he could close "that gentleman's door if he liked, and ruin him in a twinkling."

With much difficulty, and at no little additional cost in the shape of injury to his household gods, Mr Dolphington got his adversaries out of his house. The arbiter was

the last to go ; but Dolphington's words of thanks to Ovens were hollow and unreal. He returned to the justice room in a frame of mind bordering on despair. Jack Marrable alone spoke, as he saw his master's eyes rest for a moment on the wretched bird, the cause of all his misery.

"Please, sir," said Jack, "it waur ventrylo-queesim ;" referring to the specimen of loquacity supposed to be the bird's.

Mr Dolphington was heard to use the word "quash," and then seen to rush upstairs to his smoking-room, from which sanctuary he did not come forth till bedtime. Nobody in the city saw him for some months. The first man he called for was Ovens, to whom, after shaking him heartily by the hand, he confided his impression that lobster did not make a good supper before a day's mental toil.

*IRREGULAR MARRIAGE AT PETER  
BROCK'S.*

SOME summers ago, when I passed the greater part of a rainy day in an inn in Ross-shire, the landlord told a story which illustrated the facility—to use a mild word—with which persons in Scotland were said to get married. We were informed by the narrator that a man and woman might, in the land of the mountain and the flood, be married, according to law, against their will. I protested—in the name of Scottish lawyers and common sense—and argued that *consent* was as essential to the contract of marriage as to a contract for the sale of sugar ; nay, more, I was able to cite cases where sweet creatures had made written declarations that they were husband



and wife, and yet the judges had decided that they meant nothing of the kind ; interpretations which the lawyers might not have troubled themselves to make in the case of merchandise. The landlord, notwithstanding, proceeded with his story very gravely, between the puffs from his long clay pipe. Whether he was mostly laughing at some expounders of the law, or whether he only intended to frighten one, Popples, who sat with us, and was understood to have been pretty free in his language to the ladies of the bar, besides shooting a pet doe of the landlord, I did not exactly know.

“There was one Waggles, from Liverpool ‘Change,’” said mine host, “stayin’ here just after the Yelverton trial time, the oddest man to argue an’ deny ever was seen. He *was* a sceptical man, an’ didn’t believe in anything, he said himself, except facts ; facts he could prove in almanacs an’ time-tables he liked best, though he was open to be convinced by print books generally—for Waggles had veneration of his

own, you may be sure. He was fond o' posing with his facts. He didn't see the good o' shootin'; he didn't see the fun o' fishin'; he wouldn't ride, walk, nor sail, but only argue, an' deny, an' pose. He wouldn't admire the scenery; he wouldn't hear the music of the spheres, or the lark, or the brass band and bagpipes that played at dinner in the paddock. He wouldn't look at the Highlandmen—the kilt wasn't fact enough. And he wouldn't look at the women—not at all, at all. That was a strong point. There were Highland duchesses an' Lowland countesses, beautiful as naytur, education, an' starched calicoes could make them; an' there were sweet Highland lassies, about a' naytur thegither. Waggles he would see them, only to say they weren't fact—there was nothing in them. He just went on arguin' that it was a delusion of men, not a snare for Waggles. 'Ca-atch me,' said John Waggles, in his stammerin' way. Of course, you couldn't prove by books, cer-

tainly, that female human naytur was captivatin'.

“ You see he had read the almanacs, railway guides, an' the history books, an' he knew a deal, though his knowledge was generállly old like. He knew the changes of the moon well, Waggles did ; and could check off an author pretty, who had beautiful full moons too often in the month, or had the sun setting mighty pretty, for east coast folk, in the German Ocean. Nothing in the almanacs he didn't know ; the certain dog-days, or the day o' the sun entering Virgo, or the day o' the death o' Columbus, or such like, he'd argue out, an' prove to every other man he came across. He read up, Waggles did. About the ages of Parliaments, Mr Benjamin Disraeli an' Mr Robert Lowe, he knew well—steerin' clear o' the other sex there too. He'd introduce his subjects sly, an' lead a man on to argue, an' he'd deny, an' then prove he was right, when he got the Almanac, in a jiffy. He told Scotchmen all about their patriots, an'

how they got slain ; an' a professor o' Kirk History was treated to facts about John Knox ; an' a distiller was checked off about barley-corn. He made a particular point of knowin' facts about the place he was in. 'You o-ought to pre-serve that lime-a-stone, sir,' he said to the new laird, in his stammerin' way, sayin' black when he meant white, an' yes for no often : it was his humour—Waggles'. 'That's a Pictish sto-one.' 'Don't know it is,' said the laird surlily. 'Don't you ?' said Waggles ; 'I'm a stranger here, but I'll see-ee to it.' An' in half-an-hour he comes up to the laird wi' old Malagrowther's History, an' proves the stone to be what he said. Once a father, being asked at table as to the number of his children, said, 'Sir, we are seven.' 'We are eight,' said the mocking bird ; 'you forget the baby.' The man counted, and said he sat corrected. John Waggles made sure, and wasn't to be caught.

“Of course he couldn't know everything. He

wasn't at the creation ; he wasn't livin' from the days o' Adam, an' here an' everywhere at one time, an' seein' an' hearin' everything. He hadn't read all the prints since Caxton ; and he hadn't heard o' all that might be printed but wasn't, though that last wasn't so much matter for him. But there were many things he'd not speak about ; he didn't do anything where he'd think there was a chance he'd go wrong like, an' against the books. He was thought safe—awful safe—was Waggles, an' not to be deluded by the wiliest weed o' fancy that ever sprung in a man's head or bosom, at the most obfuscated moment of his optics. People wondered what'd pot Waggles.

“Well, he had to change his lodgings, for some children in the house he was in took the hooping-cough—a disagreeable fact ; an' he put up in the house of one Peter Brock, a pretty 'cute chap who had travelled an' seen the world. Brock's wife had died, an' he was bringing down

to help him his nieces, the Cruiskys, frae Altnahulish. Waggles saw through the pend, as he went in, Sheila kiltit trampin' clothes i' the washin' tub, an' he cried, 'Wi-ife, wi-ife, desist,' which she didn't understand at all, not knowin' she was doin' anything wrong, an' not knowin' a word o' Scotch or English. It was Waggles' humour to cry 'wife;' it was the mocking bird's; he imitated our boys of the village who are accustomed to call maids, as matrons, 'wives.'

"They were amatory an' nuptial crayturs the Cruiskys; though they all and each of them made up an uncommon stone weight when they got beyond their teens. They were modest an' quiet. They did nothing o' themselves to make ye to love them; they couldn't help it. They'd be lookin' dreamin'-like an' askance at the water bucket or carrotbed or chuckies feedin'; an' the men at the wheel, or over the wall, or in the stables'd be jumpin' mad like; they themselves wi' never a chuckle in their bosoms. Naytur had given them some

uncommon winnin' way. In the first o' the Yel-  
verton times, folks had hard to know whether  
they were single or double : Sheila was cleekit,  
it was thought, wi' the driver o' the Mail, an'  
the guard too, an' the two strapper lads, an'  
the waiter John, forby a farmer's son or two  
into the bargain. Of course, proof's every-  
thing ; an' folks didn't know what were proofs  
then when Sheila had just come.

"It was the second day Waggles was  
at Brock's the second sister came. We  
called her Shoosie, though she'd not be that  
name in Altnahulish. How magnetic that  
craytur was ! beat the loadstar ; a most par-  
ticular amatory an' nuptial craytur ! You'd  
have seen her smile ! it was electricity to man  
and boy as she went down the village, on the  
night she came to Brock's, to the mission  
house. The Rev. John Doorsook, stickit  
minister, was holding forth. When it was  
known, that night, that *he, John*, stopped in  
his discourse as she came in, an' asked leave to

say a few words in Gaelic to ‘a simple girl just entered into the fold,’ folk said that as sure as naytur was great when it had a chance, Shoosie’d be united to every man in the parish. But Waggles at the tea-table said to the other lodgers, ‘Shoo-oosie ain’t captivatin’.’ They couldn’t prove by book that Shoosie was captivatin’; so they said nothing. Waggles knocked over Brock’s best cheena teapot on the she-cat sleeping below, an’ scalded her.

“They went an’ told Brock what Waggles had said, an’ brought the fragments of the broken cheena an’ the scalded she-cat to him. Peter didn’t like this : he thought a bit, and went up quiet-like to Waggles, an’ said, ‘Don’t ! cause ye’ll maybe be married to Shoosie yet ; an’ ye’ll need the cheena pot an’ the she-cat.’ Waggles wondered ; I should say he got red in the face. He cried, ‘That’ll be uncommon queer, Peter Brock.’

“‘Take care an’ not call an’ cry to her i’ the washin’ tub as ye did to Sheila,’ Brock an-



swered, teathy like, though he was a most good-naytured man.

“Waggles got savage a bit, an’ repeated, ‘Shoo-oosie ain’t captivatin’,’ an’ said that he would stop in a twinkling that barbarity o’ the Cruiskys standin’ kiltit trampin’ clothes i’ the washin’ tub.

“‘Anyways,’ said Brock, ‘she’s down at Lizzie Maclure’s, kiltit trampin’ clothes i’ the washin’ tub just now; an’ the man had best be fly as budes Shoosie.’

“Brock, seein’ Waggles make off, left the cheena an’ the scalded cat, which he had begun to mend an’ heal, an’ got round to Lizzie’s by the low road before Waggles, an’ told the amatory an’ nuptial craytur, who knew neither English nor Scotch, what she’d say and do if Waggles intruded upon her kiltit i’ the washin’ tub.

“When Waggles got to Lizzie’s, he saw Shoosie i’ the shed kiltit i’ the washin’ tub, an’ went in to her and cried, ‘Wi-ife, wi-ife, de-e-’

Now when the nuptial craytur saw him, she—not knowing of course what his or her own words were any more than a kitten—cried out, ‘Husiband, husiband!’ Waggles was struck a bit—thought there was something up—called back on his memory o’ the almanacs, an’ railway guides, an’ history books, but couldn’t come on anything. He didn’t know what he might be in for; though he was sickly afraid ’twas something. An’ he was wheelin’ about an’ fallin’ like with fright. An’ Shoosie stretched out her arms, leapt out o’ the tub, an’ she caught Waggles in them.

“Lizzie an’ her daughter Meg an’ Brock saw and heard all. They were witnesses, an’ proof’s everything.

“An’ Lizzie an’ the daughter an’ Peter knew that; an’ they congratulated the newly-married pair.

“‘What’s this here?’ asked the husband, still queer; he hadn’t book for it. So they brought him book; Wilkie Collins, it was, on the Mar-

riage Law of Scotland; an' they turned up an' read; an' Waggles saw he was married; it was plain as the print; it was fact, they were man an' wife, an' a fact he didn't know could be at all till he was the husband o' Shoosie. When they had finished, he looked up, an' says he, with a candour not looked for, 'Shooosie's captivatin'.'

“An' when he heard the din o' the hundred pipers, an' the fifty blind fiddlers, an' the twenty cripple trumpeters that came out always at marriages, an' heard the trees fellin' for the bonfire on Altnahulish; an' when they brought Shoosie and him presents; he wrestled. 'Wha-a-t the dickens,' cried he, 'what have I done that I should come here for to be married?' An' Brock he brought a present o' the broken cheena, an' the scalded she-cat; an' Waggles took up the broken cheena an' looked steadily at the scalded she-cat, an' then sickly like in Brock's face; an' he said—'Dash my proclivities, if that broken cheena an' that

scalded she-cat hain't married me against my will !'

"An' he ran out in the dark"—Here several of the listeners who had broken in now and again with a laugh during our host's circumstantial narrative, unfortunately interrupted with their cachinnations the conclusion of the history of the wedding of Mr and Mrs Waggles.

The mail guard called away our landlord with his horn ; and it was noticed by us for the first time that Popples was gone ; he must have slipped out in the middle of the narrative, for he was already seated on the coach.

THE END.







